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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-fifth session

SUMMARY RECORD OF THE 493rd MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 5 October 1994, at 10 a.m.

Chairman: Mr. J. E. LARSEN (Denmark)

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General debate (continued)

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GE.94-04022 (95-95305/EXT)

The meeting was called to order at 10.20 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. EKSTEEN (Observer for South Africa) said that it was an honour for South Africa to address the forty-fifth session of the Executive Committee, especially since it was the first time that his country had participated in the Committee's work.

2. Recent years had been marked by dramatic events in South Africa. Thanks to the decisive role played by UNHCR since the beginning of the process which had led to the elections and the establishment of the Government of national unity, South African exiles had been able to return home to contribute to the democratization and building of their nation. The voluntary repatriation of South Africans in conditions of security and dignity was a striking example of the impact of an essentially humanitarian operation on the process of political reconciliation in a country.

3. Within that sensitive operation UNHCR had been the first United Nations body to be authorized by the General Assembly, in resolution 44/244, to establish representation in South Africa. Thanks to the good offices of UNHCR several other United Nations bodies had been able to undertake their own operations in the country. The High Commissioner had also attended, as special envoy of the Secretary-General, the first multi-partite talks in Africa, in December 1991.

4. Although it was having to cope with the enormous and urgent needs of its people, South Africa was determined to take part in the international efforts to relieve human suffering throughout the world. For example, it had contributed to the delivery to Bosnia of a fully equipped field hospital and was paying the transport costs of almost 8,000 tons of emergency supplies for Rwanda. In addition, the humanitarian aid furnished by South Africa for the repatriation of Mozambican refugees was playing a vital role in the normalization of the situation in Mozambique.

5. The South African Government was profoundly concerned about the fact that the number of refugees in Africa had increased by a factor of seven over the past 25 years and that Africa had some 20 million internally displaced persons. However vital the action of UNHCR, it could not serve as a substitute for the prevention of conflicts. The Organization of African Unity (OAU) and UNHCR were therefore to be congratulated for having organized in Addis Ababa in September a symposium on forced displacement in Africa, and the international community should give serious consideration to the recommendations of that meeting.

6. Mr. FERREIRA MARTINS (Observer for Angola) said that 1994 had been deeply marked by the emergence of new refugee tragedies in the world, particularly in Africa, where the situation in Rwanda had taken on disastrous proportions. In its solidarity with the people of Rwanda, Angola appealed to the international community to continue to support the refugees of that martyred country and assist with its rebuilding.

7. Despite the negotiations between the Government and UNITA which had been going on in Lusaka for almost 10 months, the war persisted in Angola, with its share of destruction and suffering. In conjunction with the Angolan Government,

the United Nations had recently submitted a new appeal to donors for humanitarian aid to turn the corner of 1994, i.e. a total of $US 61,143,447. Once peace had been restored the Angolan Government would draw up in collaboration with UNHCR a detailed plan for the continuation of the repatriation operations for Angolan refugees in Zaire, Zambia and Namibia. Most of the Angolan refugees were suffering shortages in the asylum countries and expected to be repatriated as soon as the security conditions were met. In order to assist the refugees in Angola, the Government had created the Commission for Recognition of the Right of Asylum (COREDA) in order, with UNHCR support, to afford them better protection.

8. Despite the difficult humanitarian crisis which its people was living through, the Angola Government was determined to intensify the distribution of humanitarian aid with a view to the resettlement of the recipients and their reintegration in society.

9. Mr. POKU (Observer for Ghana) said that his delegation wished to thank UNHCR and the NGOs and donors which were concerned about the plight of the refugees in Ghana. The UNHCR office, which had been raised to the status of branch office, had provided outstanding assistance to the authorities.

10. Since the ending of the cold war, conflicts had not only proliferated but had also changed radically in nature - a situation which the United Nations itself did not seem to have been well prepared to deal with. It was therefore no surprise that UNHCR should find itself in a very difficult and unenviable situation. Since things were probably going to get worse, the delegation of Ghana believed that the time had come for the international community to consider whether the mandate and resources of UNHCR were commensurate with the proliferation of complicated refugee situations and the related problems caused by internal displacement.

11. It was clear from the Note on International Protection (A/AC.96/830) that the 1951 Convention and the 1967 Protocol relating to the Status of Refugees had proved insufficient to cope with the new situation. The time had therefore come to bridge the gap between theory and practice. It was of course understandable that the proposal to draft a new convention should not be viable, but it would be possible to draft a declaration of guiding principles on international protection on the basis of a synthesis of refugee law in particular and of international humanitarian law in general, taking into account as well the experience acquired in the field by UNHCR and the other relevant agencies. The purpose of such a declaration would be to enlarge the definition of the concept of refugee and the scope of action of UNHCR. The notion of temporary protection might also be used in the declaration. Inspiration could also be drawn from regional instruments such as the 1969 OAU Convention and the conclusions of a symposium held recently to commemorate the twenty-fifth anniversary of its adoption.

12. However, the drafting of a declaration of guiding principles would not of itself resolve the difficulties facing UNHCR and the international community. The causes of refugee flows and displacement must be attacked at their roots. UNHCR could contribute to that undertaking by promoting and publicizing refugee law and providing the necessary training. In that connection Ghana recommended that the cooperation between the Office and the International Institute of Humanitarian Law should be institutionalized and that the Institute should

become a focal point for research, training, promotion and publicizing of refugee law. It was to be hoped that places would be found for some of the honorary members of the Institute in the think-tank which the High Commissioner proposed to create.

13. The Executive Committee and the international community as a whole must bear in mind that it was in the interest of all States to find common solutions to humanitarian problems with the objective of guaranteeing everyone's security, that the changing and complex nature of the refugee problem called for a global approach, and that the international community must never weary of dialogue, cooperation and consultation in tackling the new challenges which it faced.

14. With a view to prevention Ghana had intervened in Liberia, together with other countries of Western Africa, and had contributed to other United Nations peace-keeping operations, including the operation in Rwanda.

15. Mr. VENERA (Observer for the Czech Republic) said that, in order to heed the Chairman's appeal and save time, his delegation had submitted in writing some information about the care provided for asylum-seekers and refugees covered by the UNHCR mandate and about the applicable legislation, together with statistics and other material concerning refugees in the Czech Republic. That information was available to all participants in the meeting.

16. The Czech Republic welcomed the UNHCR strategy of prevention, emergency preparedness and intervention to deal with the problem of forced displacements. It wondered whether the international community could not have helped to prevent, or at least to reduce, the mass exodus of Rwandese refugees - more than 2.5 million - by adopting effective measures and implementing them in good time. In response to the urgent appeal made by the Secretary-General the Czech Republic had participated directly in the international humanitarian operation for Rwandese refugees.

17. It had also provided temporary protection for nationals of the former Yugoslavia, in particular of Bosnia-Herzegovina, who had been driven from their homes by the armed conflict. Since prospects for a speedy solution to the conflict seemed dubious, the Czech Republic did not recommend or provide financial support for the return of those refugees but nor did it discourage the voluntary repatriation of those who opted for that solution. After the cessation of the conflict the problem of the voluntary repatriation of nationals of the former Yugoslavia would have to be solved by close cooperation among all European countries. The Czech Republic welcomed the recommendations made by UNHCR concerning the possibility of safe repatriation and the objective and up-to-date information given about the possible risks of that solution. In that connection the ACCESS pilot project of the Refugee Documentation Centre had produced good results and provided a source of information about the countries of origin during procedures for granting of asylum.

18. The Czech Republic had the following priorities for the coming period: to implement the refugee integration programme with the support of State funding and in cooperation with local communities; to define the basic humanitarian principles of the new laws on asylum and foreigners; and to secure, in coordination with UNHCR and other countries, the integration of temporary Bosnian refugees in Czech society or their future repatriation.

19. Mr HASHIM (Observer for Bangladesh) said that, given the proliferation of conflicts in the world and the massive flows of refugees and displaced persons on all continents, UNHCR had an important role to play at the international level to protect the refugees and find solutions to their problems. Bangladesh was most appreciative of the manner in which UNHCR was tackling those challenges in practice. However, it must not be forgotten that the ultimate solution of any refugee problem was their return and reintegration in their own countries in conditions of security and dignity. The international community must focus its efforts on that goal since the fundamental needs of refugees (food and housing) were already being met.

20. In 1992 Bangladesh had received 250,000 refugees from Myanmar. Despite its economic difficulties and the demographic pressures to which it was subjected, it had been endeavouring for more than two and a half years to cope with the situation and fulfil its humanitarian obligations to the best of its ability. Many refugee camps had been set up during that period in the coastal areas of the south-east of the country. Bangladesh was grateful for the assistance provided by the international community and UNHCR for those refugees.

21. Almost every time a humanitarian crisis continued for a prolonged period, a regrettable phenomenon of "desensitizing" occurred. The refugees and the local poverty-stricken people were today in competition for access to means of subsistence and jobs; and problems were arising in the refugee camps in Bangladesh. The political pressures in the region were becoming more acute.

22. Bangladesh had sought by diplomatic means to settle the question of the repatriation of the refugees with the Government of Myanmar. The goodwill of the two countries and the desire of the international community to see a lasting settlement of the problem had led to the establishment of a UNHCR presence in Rakhine State in Myanmar. Thanks to that presence and the cooperation of the Government of Myanmar, a feeling of peace and security was emerging in the region. Bangladesh therefore thought that the refugees could now return home in conditions of security and dignity.

23. The rate of repatriation, which had been very slow in previous months, had accelerated. Most of the credit for that was due to the High Commissioner. Thanks to the UNHCR presence in Rakhine and the economic activities planned there by various United Nations bodies, there was hardly any further justification for the refugees to continue to live in camps. It was encouraging to note that 165,092 of the 176,262 remaining refugees had opted for repatriation. That ought to encourage the others to do likewise.

24. Bangladesh sincerely hoped that over the coming months, particularly during the dry season, the Myanmar authorities would do their best to receive the bulk of the refugees. It was convinced that the UNHCR staff in the field would cooperate as much as possible with the competent authorities to ensure that the repatriation was effected swiftly. It was to be hoped that there would soon be one fewer refugee problem in the world.

25. Mr. ZUZUL (Observer for Croatia) said that the terrible scenes which the world was witnessing showed that the ending of the East-West confrontation and the emergence of a new world order certainly had not meant the end of human suffering and tragedy. The international community had not yet managed to respond effectively to the ever growing needs of the tens of millions of

refugees and displaced persons on all continents. Hence the ideas of a new convention, of guiding principles, of harmonization at the regional level and of concerted action to deal with certain situations.

26. It could not be said that the international community had not done enough to resolve the issues of displaced persons and refugees and to meet the most urgent needs of people under threat. In three years the total annual expenditure of UNHCR had almost trebled, its staff had more than doubled, and excellent work had been done. That would not have been possible if the world had not been aware of the need to make additional efforts to ease the suffering of millions of human beings. However, after the experience gained, albeit involuntarily, as a result of the attack launched against Croatia and Bosnia-Herzegovina, the Government of Croatia was convinced that the means of humanitarian action were limited in situations of conflict. Humanitarian considerations should in no case be used as an excuse or pretext for declining to demonstrate the necessary political will and resolutely taking action to deal effectively with crises. Rwanda offered the most recent example of a tardy reaction by the international community to one of mankind's biggest tragedies. The international community had needed several months, the deaths of more than 500,000 people and clear messages from international observers and the Special Rapporteur of the Commission on Human Rights before it had understood that it must do more. Despite their meagre financial resources and the burden of the presence on their soil of hundreds of thousands of displaced persons and refugees, the Croatian Government and people had joined in the international effort by delivering to Rwanda medical supplies with a total value of more than $US 300,000.

27. The problem of the displaced persons and refugees in Croatia - who appeared to number about 400,000 - was very acute. For four years people had been suffering internal displacement, and the reception of refugees from Bosnia-Herzegovina had now been going on for almost 30 months. Although the shelter capacity was saturated, new refugees were arriving daily from Bosnia-Herzegovina, and the number of requests for officially organized shelter was increasing owing to the lack of funds to compensate host families. Refugees and displaced persons were increasingly demonstrating their discontent with the present situation, and most of them were suffering traumatism. That state of affairs could have considerable social and political implications for the overall situation in Croatia. The number of refugees from the regions of Banja Luka, Zenica, Tuzla and Sarajevo was increasing daily as a result of "ethnic cleansing" by the Bosnian Serbs. UNHCR had already announced that from 1995 it would end the allocations usually made for the housing of refugees in the homes of members of their families. Accordingly, the necessary funds would have to be drawn from Croatia's budget, which already had to cope with ever increasing expenditures for the medical care and schooling of refugees.

28. The problem of feeding the refugees and displaced persons was a source of acute concern to the Croatian Government. The quantities of food which Croatia received from humanitarian organizations were declining, and the European Union had also announced its intention of cutting back its programme. It was paradoxical that the food aid provided for refugees located in occupied Croatian territory or in the part of the territory of Bosnia-Herzegovina controlled by the Bosnian Serbs was greater than the aid provided for the refugees and displaced persons received in the part of Croatian territory controlled by the Croatian authorities. In relation to the number of refugees and displaced

persons which it was sheltering, Croatia had received only a tiny part of the $US 900 million spent in 1993 on the whole of the refugee population in the former Yugoslavia. Serbia, in contrast, which had been roundly condemned by the international community for having attacked Croatia and Bosnia-Herzegovina, was in a better position because it inflated the figures and abused the generosity of the international community, which it thus prevented from providing more assistance to the true victims of the aggression. Such practices must cease.

29. Furthermore, the humanitarian organizations did not always spend the available resources as rationally as they should. Their often high expenditures on logistics reduced the amounts available to meet the needs of the displaced persons and refugees.

30. With a quarter of its territory still occupied and its economy weakened by the Serbian aggression, Croatia would never have been able to shelter and assist almost 400,000 refugees and displaced persons, i.e. 10% of the total population in the free zone, without the generosity of many friendly countries.

31. It was to be hoped that the signature of the Washington Agreement and the creation of the Croat-Bosnian Federation of Bosnia-Herzegovina with the unstinting support of Croatia would prove to be milestones on the road to normalization of the situation in Bosnia-Herzegovina and improvement of the prospects for peace. Within the framework of the Working Group on Humanitarian Issues of the International Conference on the Former Yugoslavia a special group on repatriation had been mandated to review the situation and evaluate the possibilities for the return of the refugees and displaced persons. Croatia welcomed that initiative. Only an open and constructive dialogue on ways of implementing repatriation programmes would make it possible to avoid potential problems and lead to effective and smooth repatriation in dignity and security. The Government of Croatia shared the unanimous view of the international community that the conditions were not yet in place for a mass repatriation. However, in July 1994 it had adopted a national programme for the return of displaced persons and refugees, thus demonstrating its commitment to dealing systematically with the problem. To that end it had already signed tripartite declarations on the care of Croat refugees and their repatriation with several European countries and UNHCR, as well as an agreement and a protocol with the German Government. Future repatriation activities would have to be carried out essentially on the basis of bilateral agreements between Croatia and the receiving countries. UNHCR assistance would be essential in that undertaking.

32. It must be stressed that the repatriation programme, the rebuilding of houses and the restoration of the infrastructure and the economy would require a far from insignificant contribution from the international community. Some actions of that kind had already been organized for Sarajevo, and the European Union had funded projects in Mostar. Croatia hoped that the "weariness" of the donors would not undermine the financing of the recovery of the areas devastated by the war.

33. Mr. LACOUL (Observer for Nepal) observed that the refugee situation was gloomier than ever and that the Executive Committee had an enormous number of issues to deal with. The international community must today take effective action to prevent the flows of refugees in various parts of the world. Although they bore none of the responsibility, children, women and old people were suffering the consequences of civil wars due to ethnic strife, national

political conflicts, and the deterioration of social and economic conditions. Lasting solutions must be found for that problem within the framework of institutions such as UNHCR by addressing its root causes. The World Conference on Human Rights held in Vienna in June 1993 had seen identified flagrant violations of human rights as one of the main causes of displacement.

34. The Nepalese delegation congratulated UNHCR which, despite limited financial and human resources, was providing various kinds of assistance to refugees. It paid a tribute to members of the UNHCR staff who risked their lives to ease human suffering. But the refugee problem had taken on such proportions that no single organization could solve it. Thus the Nepalese delegation once again commended the efforts made by UNHCR to ensure coordination with other United Nations bodies and international and national NGOs.

35. Nepal, landlocked and one of the least developed countries, had received more than 100,000 refugees. Their influx had aggravated the degradation of the environment and the country's social problems, in particular the pressures on the economy. The Nepalese Government had provided the refugees with shelter and was helping to manage the camps. It was firmly committed to the right of the refugees to return home in conditions of security and dignity.

36. In collaboration with other organizations UNHCR was playing a leading role by providing the refugees with food and shelter, and with water, sanitation, health, education and community services. In its assistance programme for the refugees in Nepal UNHCR emphasized self-management, the representation of women refugees in the camp committees, income-generating activities, training and education. The proposed programme for 1995 was a modest one in comparison with previous years, and it was to be hoped that its aims and priorities would not suffer any major cutbacks.

37. The Nepalese Government was grateful to UNHCR, the other organizations and the donor community for the generous aid which they had given to the refugee camps in the east of the country. In view of its increasing responsibilities, UNHCR must be able to count on cooperation from all quarters. It was essential to show understanding of the suffering of innocent persons, uprooted women and children in particular, and to help UNHCR to find lasting solutions to the problems. The existence of millions of displaced persons in the world on the threshold of the twenty-first century was a bad omen for the maintenance of peace and order, especially as the displacements were due largely to violations of human rights.

38. In its review of the situation in Asia and Oceania the Office noted with concern that the appropriate solutions for the Bhutan refugees and asylum-seekers in Nepal had made hardly any progress. The Nepalese Government recalled in that connection that it had repeatedly thanked UNHCR for its offer of good offices in the search for a lasting solution to the plight of the Bhutan refugees living in the camps in Nepal. It was determined to pursue a serious dialogue with Bhutan. It was not in the interests of the traditionally friendly relations between the two countries for the negotiations to drag on. The presence of nearly 100,000 refugees in the camps in Nepal had already begun to have harmful effects on the environment. The local population was also showing signs of discontent. The Government was therefore under strong pressure from public opinion to speed up the negotiations, which were intended to produce a lasting solution. The Nepalese delegation therefore welcomed the High

Commissioner's intention to initiate a separate dialogue with the authorities of Nepal and Bhutan. It believed that the proposal reflected a sincere and impartial wish to facilitate the speedy conclusion of an agreement on the modalities for settlement of the problem of the refugees in Nepal.

39. Mr. KANYANYA (Observer for Malawi) said that Malawi had received more than a million Mozambican refugees in the past eight years. It respected unreservedly the provisions of the 1951 Convention and the 1969 OAU Refugees Convention and acknowledged, in accordance with those instruments, that a refugee was a human being who must enjoy the fundamental rights and freedoms without any discrimination. In Malawi the refugees had all enjoyed total freedom of movement and had not been compelled to live in camps. Their Malawi brothers had made available small plots of land for them to live on and farm when possible. In addition, efficient and cordial working relations had been established between the Government of Malawi and UNHCR and the various NGOs, which had worked tirelessly to ensure that the Mozambican refugees retained their human dignity. That had provided an example of a Government managing a crisis in conjunction with its partners in the best possible conditions. The Government of Malawi offered its warm thanks to the High Commissioner and her colleagues in Malawi, as well as to the various donors which had contributed to the success of the programme for the Mozambican refugees.

40. The peace agreements signed in Rome on 4 October 1992 between the Government of Mozambique and RENAMO had put an end to 16 years of war. They had helped to reestablish normal life in Mozambique. Malawi had therefore engaged in the process of voluntary repatriation in November 1993. The refugees had reacted enthusiastically and many of them had returned home. In February 1992 there had been more than a million refugees but now only about 259,000 remained, and many of them were waiting, before they decided to act, only for the result of the elections which were to take place in their country at the end of October 1994. Malawi had the feeling that the peace agreements would be respected in the interest of the people of Mozambique and of mankind and it hoped that the elections would take place in the best possible conditions.

41. The refugee problem appeared almost solved in Malawi, but the Malawi Government still needed the assistance of UNHCR and the donors in certain areas. Firstly, despite the efforts at persuasion which had been made, some of the refugees had not yet decided to return eventually to their own country. The Malawi Government had no intention of repatriating them by force. It therefore urged UNHCR and the donors to continue to provide assistance to the refugees until they were in a position to return home. Both the Malawi Government and UNHCR were following the situation closely. There were grounds for hoping that the programme for the Mozambican refugees might be concluded within the coming 12 months.

42. The Malawi refugees abroad were returning home in the wake of the recent democratization in Malawi after having spent almost 30 years in exile. During the past two years the donor community had terminated all aid to Malawi owing to its serious human rights failings, poor administration and lack of transparency. Some of the Malawi refugees had requested UNHCR protection, but most of them had not done so, out of fear of detection by the secret agents of the previous Government. Since the proclamation of a general amnesty in 1993 most of the exiles had returned, almost half of them enjoying UNHCR assistance with their departure from the asylum country. In its desire to improve a seriously

tarnished image the previous regime had not appealed to the donor community to facilitate the resettlement of the returnees. The new Government had therefore to tackle that difficult task and it requested the Executive Committee to consider providing assistance.

43. The Malawi Government also requested the Executive Committee to look more closely at the harmful effects of refugee flows on the environment of the asylum countries. The 12 districts in Malawi where the Mozambican refugees had been received had suffered widescale deforestation and soil degradation, with serious consequences for the country's economy. A draft rehabilitation project costing a total of more than five million dollars had been drawn up for submission to UNHCR.

44. There was also the problem of the free circulation of weapons in Malawi, which explained the presence of many armed combatants among the Mozambican refugees. Armed robbery, previously unknown in Malawi, had proliferated, and posed a serious threat to people's lives and possessions. The problem had grown worse since the refugees had begun to return home because the ones in possession of weapons knew that they could not take them with them and so sold them cheaply to the local people. The Malawi Government therefore requested the Executive Committee and UNHCR to provide it with the necessary technical assistance to eliminate any hidden firearms and ammunition.

45. Over the past two years Malawi had witnessed a new influx of refugees to the towns. Those refugees, from the north, east, centre and west of Africa, did not pose the same problems as the Mozambican refugees. The Malawi Government was grateful for the aid which it had already begun to receive from UNHCR to cope with the problem.

46. Malawi believed that a peaceful transition from one regime to another constituted the only means of lasting settlement of the refugee problem. In addition to its care and maintenance programme for the refugees, UNHCR ought also, in appropriate cases, invite Governments to refrain from any act which might trigger movements of refugees. It should be recalled that while Malawi received refugees from various regions and from Rwanda in particular, a Malawi contingent was helping the United Nations to establish peace in that country. Malawi hoped that the factions in the conflict would interpret the efforts made by the United Nations as an attempt to establish a lasting peace and would lay down their arms and cease hostilities for the good of Rwanda and of all mankind.

47. MR. MOVSESSIAN (Observer for Armenia) said that, although the refugee problem had worsened over the past 30 years, Armenians had unfortunately known the problem since 1915. In recent years the situation in Armenia had deteriorated considerably for various reasons. The disastrous earthquake in 1988 and the total blockade of the country for more than five years by some of its neighbours had had negative effects on its economy. For example, for more than four years people had been living without heating or electricity, and more than 30% of the population were homeless, including 700,000 victims of the earthquake and more than 400,000 refugees, expelled persons or migrants. The present wave of Armenian refugees was a result of the tragic events in Sumgait in February 1988, following which masses of Armenians had been expelled from hundreds of towns and villages in Azerbaijan. In that connection Armenia wished to offer its sincere thanks to the countries which had generously received the Armenian refugees, in particular the Russian Federation, which had opened its

doors to almost 80,000 Armenian refugees from Azerbaijan. The Nagorny-Karabakh conflict had caused a new wave of refugees which had further aggravated the situation in Armenia, where more than 6,000 Armenians from Abkhazia had also taken refuge. In addition, tens of thousands of inhabitants of frontier regions had been forced to leave their homes, which were the targets of systematic bombardment.

48. Armenia was grappling with another big problem - unemployment. In fact, 74% of the refugees fit to work were currently unemployed and there was no possibility of finding them work in the near future owing to the country's economic crisis. In such circumstances the problem of compensation was of paramount importance. The Armenian refugees from Azerbaijan had so far received no compensation for the property which they had abandoned, whereas in 1989 the Armenian Government had paid 70.8 million roubles to Azerbaijanis who had left Armenia. Compensation would enable thousands of refugee families to cope with some of their problems. Armenia was ready to resume the talks with Azerbaijan to resolve such difficulties as quickly as possible.

49. The refugees led very difficult lives on a monthly income equivalent to one-third of a United States dollar, and their mortality rate had doubled in recent years, partly as a result of the blockade. Despite all the difficulties, the Armenian Government had made arrangements to ease some of the social and economic problems of the refugees. For example, it had drawn up a programme of housing construction and social protection which envisaged inter alia the provision of 18,000 dwellings for refugees over the next five years, but implementation of the programme was blocked by lack of funds.

50. Armenia had also enacted legal instruments for the protection of the rights of refugees in accordance with the standards of international law. In that connection it should be recalled that in May 1993 the Armenian Parliament had ratified the 1951 Convention and the 1967 Protocol and that in November of the same year it had been the first CIS country to join the International Organization for Migration. Bills on Armenian citizenship and the status of refugee were currently before the Parliament.

51. Without external assistance the Armenian authorities did not have the means of solving the social and economic problems of the refugees. It must be stressed in that connection that considerable assistance had been given to some 130,000 needy refugees by UNHCR and other international bodies, as well as by the United States and the European Union, and Armenia was extremely grateful to them.

52. The Armenian Government believed that the solution of the refugee problem depended primarily on the restoration of peace in the region. It had called repeatedly for the early restoration of peace and for the reestablishment of good-neighbourly relations with all States and all peoples. It advocated an immediate and permanent cease-fire in the region, the deployment between the two parties to the conflict of CIS intervention forces and CSCE observers, and determination of the status of Nagorny-Karabakh by means of political negotiations. It was ready to accept any solution provided that it was acceptable to the people of Nagorny-Karabakh.

53. Armenia was in favour of convening a world conference to consider the solution of the more general problem of refugees, displaced persons and

migrants, a matter raised in General Assembly resolution 48/133, as well as a regional conference to precede the world conference and deal with the situation in the States of the former Soviet Union.

54. Armenia hoped that peace would be restored between the peoples of Armenia and Azerbaijan, which were condemned by the nature of things to live side by side and had no other choice than to be good neighbours. The Governments of Armenia, Azerbaijan and Nagorny-Karabakh must find solutions to enable them to normalize their relations and understand each other better.

55. Mr. BALOI (Observer for Mozambique) said that thanks to the efforts of the international community the first genuinely pluralist elections would take place in Mozambique on 27 and 28 October. The process of democratization was now well under way in Mozambique. Without the aid received from other countries, either directly or through UNHCR or other United Nations agencies, he would have been unable to inform the Executive Committee that 1.1 million Mozambican refugees had already returned home. Most of them had done so of their own accord, but a considerable number had returned to Mozambique under an organized repatriation programme. The programme had moreover been expanded in 1994 with the restoration of peace and the approach of the elections and the sowing season. That was a welcome development, but the returnees had not waited until the necessary conditions had been established for proper resettlement. Mozambique would therefore have to intensify its efforts to guarantee the minimum conditions necessary for reintegration and thus prevent an influx of people to the urban areas or a return flow to the asylum countries. In that context it was vital to restore the basic services in the rural areas, and particular attention was being given to the farming sector for the 1994/95 season in order to encourage food self-sufficiency in the countryside and help the returnees to rebuild their lives. Such measures were basically in conformity with the strategy advocated by the High Commissioner.

56. Mozambicans had experienced the bitter reality underlying such terms as refugee, displaced person, and dislocated or fragmented society, for that had been the fate of millions of them. However, the situation in Rwanda exceeded all imagining, and he wished to express Mozambique's solidarity with the people of Rwanda and the hope that its profound suffering would soon be over.

57. On behalf of the outgoing Government of Mozambique he offered his country's profound gratitude to all those who had helped it on the road to national reconciliation and democracy. The refugees, who over the past 10 years had received assistance from UNHCR, neighbouring countries, the international community, bilateral donors and NGOs, had now returned home, and continued assistance was needed to reinforce that successful outcome by working for their reintegration.

58. Mr. MUGABO (Observer for Rwanda) said that the Government of Rwanda was grateful to UNHCR and the international community for the aid given to the people of Rwanda during the difficult period which it had just endured. The first UNHCR office in Africa had been established in Bujumbura in the early 1960s in order to take care of Rwandese refugees, and that support had been continued up to the present. The Rwandese people had known suffering and hardship for 35 years, and the Government of Rwanda was convinced that with the support of the international community it could and must put an end to the cycle of violence and bring about a return to peace and reconciliation.

59. The refugee problems which had marked the past 35 years were the legacy not only of a colonial system which had exploited divisions but also of a succession of dictatorships which had put the interests of the leaders before those of the citizens. The civil crisis in 1959, which had brought two social groups into conflict, had led to the massacres which had forced 350,000 Rwandese to take the road of exile. Their numbers had increased to almost a million when the war broke out in October 1990. Efforts had been made at the regional level to solve the Rwandese refugee problem, but the Declaration of Dar es-Salaam of February 1991 had not led to a lasting solution owing to the persistence of the war. The negotiations in 1992-1993 had resulted in the Arusha Peace Accord, to which had been appended a protocol on repatriation and integration of the refugees and the return of the displaced persons. But a genocidal conflict had broken out in April before the agreement had been put into effect. That conflict had cost the lives of more than a million people, not 100,000 as the UNHCR report stated, and had produced two million refugees.

60. At present a million Rwandese were still living as refugees in the camps in Zaire and 500,000 in the western part of the United Republic of Tanzania. Those refugees, most of whom had fled under pressure from the political and military authorities, were today still being held hostage by the forces responsible for the genocide. Those same forces continued to terrorize the crowds of refugees and threaten the humanitarian workers which the international community had sent to help them. Members of the former Government still held sway in the refugee camps, where criminals who had committed atrocities were even trusted with a security role. The whole situation contravened the conventions on the protection of refugees. The refugees were thus dissuaded from returning to Rwanda; in addition, the members of the former Government were threatening to attack Rwanda and kill anyone they found. Their attitude had prompted a large number of people to flee the country in recent weeks.

61. The repatriation of the refugees who had long been living in Uganda, Burundi and the United Republic of Tanzania had begun nine months earlier. More than 400,000 Rwandese living in exile, some of them for 35 years, had returned home of their own accord and had settled in extremely chaotic conditions. The situation was such that many of them had moved into housing which had just been abandoned. The inevitable problems arising from such a situation had been drawn to the attention of UNHCR and the international community. Unfortunately, little attempt had been made to offer a solution involving planned resettlement on a scale which measured up to the needs. Many of the returnees had no shelter or other essentials such as water. In addition, more than 400,000 long-term Rwandese exiles living in northern Kivu in Zaire were being prevented by the former Rwandese army from returning home, and those who disregarded the ban were killed before they reached the frontier.

62. The lack of a resettlement programme and the general shortage of resources gave rise to instability and conflicts, in particular when people settled at random and appropriated land belonging to others. In the long term such acts undermined the prospects of the process of national reconciliation which the country urgently needed. The national economy had collapsed. The recent refugees themselves had mostly lost their possessions or had their homes destroyed. The lack of a concerted international effort to meet the fundamental needs of rural dwellers and returnees in urban areas was plunging the people of Rwanda ever deeper into an extreme poverty which might become the source of even greater instability.

63. The Government of Rwanda requested the High Commissioner to urge the international community to introduce some changes which would facilitate reconciliation and national unity and to establish the conditions for a relaunch of economic development. It proposed in that connection that emergency action should be taken to disarm all the members of the armed forces and militia in the refugee camps, that the administrative and military structures in the camps in which members of the former Government participated should be dismantled, that former soldiers and militia members should be separated from the civilians, and that persons who had decided to seek asylum should be housed far from the frontier in accordance with the 1969 OAU Convention.

64. It was essential to establish transit and reception facilities so that people could return in complete safety, and the resettlement procedures must be better organized. UNHCR should play a leading role in mobilizing resources for the programmes of resettlement and reintegration in economic and social life. In view of the shortage of arable land, the resettlement sites might be located in the semi-arid and therefore infertile regions in the east and south of the country. Those regions lacked infrastructure and had little water. If they were to absorb a large number of returnees and their livestock, much would have to be done by way of infrastructure and development. The Government of Rwanda was incapable of taking up that challenge for the moment.

65. In order to enhance the cooperation between the Government of Rwanda and the United Nations agencies working for the refugees, Rwanda proposed the establishment without delay, as provided in the Arusha Peace Accord, of a commission made up of representatives of UNHCR, the Government of Rwanda and OAU. Tripartite commissions including the other Governments of the region might also be established to support the repatriation process. Such commissions would have a useful information role to play and could help to remove the obstacles to the return of the refugees under good conditions. Such efforts warranted the support of the international community.

66. The Rwandese Government reaffirmed its commitment to comply with the relevant instruments on the protection of refugees and thus to guarantee the security of people seeking refuge in Rwanda. However, it drew the attention of the international community to the fact that the perpetrators of acts of genocide must not find refuge or asylum in any country of the world and must be brought to justice in the country where the acts had been committed. To that end, an international tribunal to judge the perpetrators of the genocide in Rwanda should be created as soon as possible.

67. Rwanda was determined to collaborate with the Governments of the countries concerned and with the United Nations agencies in the repatriation of all the Rwandese refugees. In order to build confidence, in particular among the recent refugees, the Government had allowed the unrestricted movement of international protection workers and human rights observers throughout its territory. It categorically denied the assertions that it intended to organize systematic massacres in its territory and challenged the people who made such accusations to prove them. Members of UNAMIR were employed throughout the country and were ensuring that human rights were scrupulously respected.

68. In conclusion Rwanda appealed to UNHCR and the international community to provide the support which it desperately needed to relieve the suffering of the Rwandese people and it hoped that ad hoc mechanisms would be established to

ensure the joint management by UNHCR and the Rwandese authorities of the emergency humanitarian aid which all friendly countries were so generously providing.

69. Mr. KAMARA (Observer for Sierra Leone) said that, like all great human undertakings, the action to help refugees had produced successes but also disappointments, frustrations and even failures. It remained true nevertheless that UNHCR played an indispensable role and that the international community had perhaps never had such great need of it. While mankind had been able to make magnificent use of industrial and scientific progress to improve living conditions, effectively combat all sorts of diseases, and achieve amazing developments in communications, transport and teaching, it had not however, despite all the efforts which it had made to maintain peace, including the efforts made through the United Nations, succeeded in preventing civil wars and international conflicts with their train of destruction and tragedy - refugee flows, displacements, etc.

70. Owing to the proliferation of internal conflicts in Europe, Asia and South America, but especially in Africa, including Rwanda, Sudan, Liberia and Sierra Leone, the refugee problem was becoming increasingly difficult to solve, despite the considerable sums expended on it by United Nations agencies, NGOs and Governments. Sierra Leone took the opportunity to thank those whose tireless efforts had enabled it to participate in the work of the Executive Committee in order to study with its other members the strategies and policies to be pursued in order to assist refugees.

71. Sierra Leone had not been spared by war. The insurrection which had broken out in 1991 in the eastern and southern provinces and which had also been affecting the northern province since 1993 had caused unprecedented loss of life and destruction, compelling the State to devote most of its financial resources to the war effort to the detriment of development programmes. Following the extension of the conflict, the number of displaced persons (estimated at about 500,000 in 1993) had more than doubled in one year. In addition, some 270,000 citizens of Sierra Leone had sought refuge in Guinea and Liberia. But the continuing instability in Liberia and in part of Guinea had compelled more than 70,000 of them to return home. Unfortunately, as security had not yet been reestablished in their localities, they had had to join the displaced persons living in the already overcrowded camps. The Government of Sierra Leone requested UNHCR to be kind enough to continue to assist both the refugees who had returned to the country and the displaced persons, for their needs were the same.

72. Despite having to cope with enormous problems, to which the international community had not given due attention, and despite the continuing presence of more than 20,000 Liberian refugees on its soil, Sierra Leone remained fundamentally committed to the principles set out in the international instruments on refugees to which it was a party, i.e. the 1951 Convention and the 1967 Protocol and the 1969 OAU Convention.

73. The efforts of the Sierra Leone Government to bring the war to an early end and thus create suitable conditions for the return home of the refugees and internally displaced persons were being undermined by the rebels, who had rejected the Government's offer of amnesty, refusing to cease fighting and join in the rebuilding of the country. Assistance to the refugees and displaced

persons was a heavy burden on the country's meagre resources, and the provision of the necessary amenities and social services - water supply, sanitation facilities, housing, etc. - cost it an enormous amount. On behalf of the Government and people of Sierra Leone he wished to thank UNHCR, WFP, UNICEF, ICRC and the other specialised agencies of the United Nations, as well as the Governments and NGOs of friendly countries, for the support which they had given.

74. The National Reconstruction Committee (NARECOM) had been mandated by the Government to coordinate the use and distribution of resources for the reintegration of returnees and displaced persons and the recovery of the war-ravaged areas of the country. The Sierra Leone delegation wished to draw the Executive Committee's attention to the fact that, if it was to make the reintegration of returnees and the recovery effort a success, Sierra Leone would still need considerable assistance from the international community. In fact, as UNDP had noted in a report submitted to the Secretary-General in 1993, the reconstruction needs far exceeded the country's meagre resources. NARECOM had envisaged the implementation of an action plan with UNHCR and other bodies which focused on the following points: organization of a voluntary repatriation operation, a programme for reintegration, return to normal economic life and promotion of income-generating activities, the repair and reconstruction of infrastructure (schools, hospitals, bridges, water supply network, etc.), and a programme of national reconciliation. The Sierra Leone delegation therefore urged the international community to be kind enough to provide increased financial, material and moral aid to Sierra Leone to enable it to achieve those objectives.

75. U LINN MYAING (Observer for Myanmar) said that, following the Memorandum of Agreement signed in November 1993 by the Government of Myanmar and UNHCR concerning the organization of the voluntary repatriation of Myanmar nationals who had taken refuge in Bangladesh, UNHCR had opened a liaison office at Yangon and initiated the repatriation operation. The close cooperation between the Government and UNHCR was producing excellent results. Since the bilateral agreement concluded between the Governments of Myanmar and Bangladesh in September 1992 more than 78,000 refugees had returned to Myanmar, including 23,000 since the start-up of the cooperation programme with UNHCR in April 1994. By the end of 1994 the number of returnees was expected to reach 120,000. Measures had been taken to enable them to reintegrate themselves in society without too much difficulty. A number of NGOs were participating with the United Nations agencies in the community development programme. The Government was determined to continue its cooperation with UNHCR until all the aims of the repatriation programme had been attained.

76. The development of the border areas was one of the Government's priority aims, and development projects had been carried out since 1989 in those areas in order to combat the poverty and improve the living conditions of the local people. In 1992 a separate ministry had been created to take responsibility for such measures and enhance their effectiveness. Since May 1989 11.83 billion kyats ($US 300 million) had been allocated to the development of the border areas. In Rakhine State alone, 26.16 million kyats had been spent during the 1993-1994 budget year, and projected expenditure for the next year amounted to 11.1 million kyats. Between 1989 and June 1994, a total of 81.13 million kyats had been appropriated for development in Rakhine. That programme enjoyed the financial and technical support of several United Nations bodies. As a result

of the development efforts the living conditions of the people and, therefore, of the returnees from Bangladesh received in that region ought quickly to show considerable improvement.

77. Mr. NGUYEN LUONG (Observer for Viet Nam) said that his delegation noted with satisfaction that the representatives of many countries had delivered a positive judgement on the results of the implementation of the Comprehensive Plan of Action for Indo-Chinese Refugees. The Plan of Action, which was the fruit of international cooperation, had facilitated a humanitarian response to the problem of refugees and asylum- seekers without causing any political difficulties. The satisfaction stated by many delegations was even more gratifying since the Plan was now entering its final stage, which implied that lasting solutions had been found.

78. On behalf of the Government of Viet Nam the Vietnamese delegation wished to thank once again the countries of first asylum, UNHCR, the donor countries and, most particularly, the European Union for their contributions to their settlement of the problem of Vietnamese refugees and asylum-seekers, and reiterated that it was ready to cooperate to achieve the goals of the Plan of Action.

79. The Vietnamese Government too was concerned about the slowness of the return of the asylum-seekers who had been rejected and it was ready to discuss measures consistent with international practice to accelerate their voluntary repatriation in security and dignity. International assistance was needed for the reintegration of the returnees in Vietnamese society. With a view to such repatriation, information and education work should also be intensified in order to thwart a disinformation campaign which was being waged against the Comprehensive Plan of Action.

80. Following the agreement signed with Indonesia in October 1993 and with a view to the return, of their own accord or in an organized operation, of the Vietnamese who had not obtained refugee status, talks were to begin with Malaysia in mid-October 1994 and with the Philippines. The Vietnamese Government hoped that UNHCR would continue to play its role in those arrangements. It needed the country's present stability to continue if it was successfully to resettle the returnees from countries of first asylum but feared that the new immigration law enacted by a neighbouring country might have disruptive effects. According to the Western press, that law might in fact cause a new exodus of Vietnamese living in the country in question. Viet Nam counted on the understanding and solidarity of the international community in the search for a solution to the problem.

81. Mr. MHIRIBIDI (Observer for Zimbabwe) said that the operation to repatriate the Mozambican refugees in Zimbabwe which had begun in October 1993 was proceeding in good order and had already enabled more than 64,000 of the refugees to return to their countries of origin. Most of the Mozambicans in Zimbabwe should have been repatriated by the end of October. In view of the success of the repatriation operation, which was due to the cooperation between the three parties concerned, Mozambique, UNHCR and Zimbabwe, plans had been made to close a number of camps by the end of the year.

82. After the departure of the refugees attention would have to turn to the rehabilitation of the camp areas, and in particular the repair of the

environment, to which large-scale projects ought to be devoted. UNHCR must play the role of catalyst in that respect. The Senior Coordinator for the Environment had already visited the sites, and a procedure had been initiated for the start-up of large-scale projects in accordance with the interim guidelines for environment- sensitive management of refugee programmes.

83. The delegation of Zimbabwe was very appreciative of the way in which UNHCR had tackled the emergency in Rwanda and Burundi but, in its view, the Office would be even more effective if it had recourse to teams of qualified personnel in the countries of the region in which it was to intervene. Zimbabwe, which had a long experience of refugee problems, had experts who had been working in the Mozambican refugee camps but were now ready to take part in emergency operations in Africa and the rest of the world.

84. Unfortunately, although the repatriation of the Mozambicans was well under way, Zimbabwe had to receive increasing numbers of urban refugees from Angola, Rwanda, Burundi, Somalia, etc. Although they were fewer in number than the rural refugees, the material and human resources which had to be allocated to them were proportionately much bigger. The presence of refugees in an urban context posed particular problems. Innovative solutions would have to be found in order to help them to become independent and prevent the emergence of a dependency culture. Since unskilled refugees could hardly hope to become self-sufficient by obtaining jobs in the formal sector, and in any event the host country already had an abundance of unskilled labour, the main need was to try to create jobs in the informal sector.

85. When a dispute arose, an effort must always be made to try to settle it by means of dialogue, in order to prevent situations which might lead to population movements, and to create the necessary conditions for lasting solutions to the refugee problem. The delegation of Zimbabwe thought indeed that the Executive Committee, in the follow-up to its deliberations, should give priority to such a preventive approach.

86. Mr. RANDOLPH (Observer for Benin) said that, owing to its geographical position and legendary hospitality, his country had always received refugees of various nationalities. Most of the 75,000 refugees currently in Benin were from Togo but there were also people from Chad, Zaire, Burundi, Rwanda, Cameroon, Algeria and the Central African Republic. In order to help the refugees Benin, having drawn on its own meagre resources, had drafted and implemented, with the aid of the international community, a multidimensional programme to meet their needs in various areas: food, health, hygiene, infrastructure, education, socio-economic integration, and assistance to vulnerable groups. The reopening of the UNHCR office in Cotonou and its recent elevation to branch office status had facilitated the coordination necessary for the success of the programme, which was now in its second year of implementation. The delegation of Benin wished to thank more particularly the specialized agencies of the United Nations, such as WFP, UNICEF and WHO, and the Governments of the People's Republic of China, Morocco, Korea, Germany and Austria for their support. Thanks were also due to the NGOs and other operational partners, whose daily work in the field made a big contribution to easing the plight of the people who had taken refuge in Benin.

87. While it appreciated what had been done, the Government of Benin drew the attention of the international community to the fact that, contrary to the

impression created by cunningly orchestrated propaganda abroad, there had been and still were refugees from Togo in Benin, as indeed the OAU field mission had established in the first quarter of 1994. Their total had been estimated at 112,000 a year earlier, and they currently numbered about 73,000; 60,000 of them were receiving assistance. The decline in their number, which the Benin Government welcomed, was due to the initiatives taken in various quarters to restore peace in Togo. But it must be noted that, still fearing for their lives and safety, some of the refugees preferred to remain in Benin despite the precariousness of their living conditions.

88. At present the Togolese refugees in Benin needed protection against the various manoeuvres designed to force them to return to their country. The manoeuvring and manipulation to which the refugees were subjected ranged from the detonation of Molotov cocktails in the refugee centres to the establishment at great cost of recruitment networks seeking candidates for paid repatriation, and they included false promises of jobs in Togo. Under the various relevant international legal instruments, repatriation could constitute a lasting solution only when it was voluntary and took place in security and dignity. In no case could it be compulsory. The delegation of Benin reaffirmed that it was not for the Government of Togo to persuade the refugees to return. But it was the responsibility of the Togolese authorities to take action to restore a climate of trust to encourage, with the full knowledge of the international community, the voluntary return home of its nationals. For its part, the Government of Benin was convinced of the need to send a joint UNHCR/OAU mission to the countries of reception and origin. Such a move would facilitate the negotiations necessary for the settlement of the painful problem of the Togolese refugees.

89. The twenty-fifth anniversary of the adoption of the OAU Refugees Convention and the twentieth anniversary of its entry into force offered an appropriate occasion for evaluating the refugee phenomenon in Africa. At the forty-fourth session all the members of the Executive Committee had drawn attention to the worrying growth of the phenomenon in the space of a decade. The statistics on refugees in Africa were clear: their number had increased from one million in 1989 to more than six million. And there were now 15 million displaced persons. About a third of the world's refugees were in Africa. It was therefore in Africa, the least advanced continent, that the refugee problem was felt most acutely.

90. The black continent seemed to take a masochistic pleasure in plunging into chaos. Its tragic situation was as source of profound concern to Benin. The development of Africa and the survival of its people as solid entities would depend on the solution found for the refugee problem, which had forced into exile and beggary thousands of men, women and children who were the essential resources of any development. The international community usually reacted by mobilizing resources to increase refugee relief. But the magnitude of the phenomenon and its consequences on people and the environment now meant that the problem must be tackled at its roots - poverty, crises, armed conflicts, etc. The international community must also take vigorous action to stir consciences and promote a democratic culture based in particular on human rights education, compliance with the principle of alternation of political power, respect for dialogue, and participatory politics at all levels. In fact, at the dawn of the 21st century Africa must stabilize and develop itself in order to participate

fully in the advent of the new world order. That was a challenge which must be taken up at the World Summit on Social Development in March 1995.

91. Mr. CHEBROT (Uganda) said that his Government was very sensible of its moral and legal obligations to asylum-seekers and he reaffirmed his country's commitment to fulfilling its responsibilities under various international instruments, including the 1969 OAU Refugees Convention, which stated in article 2, paragraph 2, that the granting of the right of asylum was a peaceful and humanitarian act. The Government of Uganda wanted to have friendly relations with its neighbouring countries and talk to them to prevent any misunderstandings. It requested the international community to support the regional efforts to find lasting solutions to refugee problems. It also wished to reaffirm its support for the High Commissioner, who was endeavouring through her apolitical, neutral and impartial humanitarian action to guarantee refugees international protection and alleviate their plight.

The meeting rose at 1.05 p.m.

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HIGH COMMISSIONER FOR REFUGEES

Forty-fifth session

SUMMARY RECORD OF THE 494th MEETING

Held at the Palais des Nations, Geneva,
on Wednesday, 5 October 1994, at 3 p.m.

Chairman: Mr. KAMAL (Pakistan)

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General debate (continued)

Adoption of the report of the Sub-Committee of the Whole on International Protection

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GE.94-04025 (E)

The meeting was called to order at 3.20 p.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. HUSSEIN (Observer for Iraq) said that the international community should make a concerted effort to guarantee the rights of refugee children and refugee women and facilitate the voluntary return of refugees to their countries of origin. Above all, actions should speak louder than words.

2. Despite the desperate situation in Iraq as a result of war and economic sanctions, it continued to shoulder its responsibilities towards refugees. Iraq was home to more than 108,000 refugees, of whom more than 43,000 were Iranian.

3. The High Commissioner should urge the Iranian authorities to accept Iranian refugees who were willing to return home. Most of the refugees from Iran had fled during the war and therefore could not be classed as political refugees and, as the war had ended, there was no longer any justification for them not returning home.

4. UNHCR's goals could be achieved only if all parties were committed to finding new measures to solve refugee problems, without ulterior political motives, which only hampered the work of UNHCR. The only way to put an end to large-scale human suffering was to eliminate the root causes of refugee flows.

5. The war and economic sanctions had taken their toll on Iraq. Many Iraqi citizens had fled to other countries, not for political reasons, but to escape the hardships of life in Iraq.

6. It was deplorable that the host countries of Iraqi refugees were exploiting their presence and mobilizing them against their native country, as was happening in refugee camps in Saudi Arabia and Iran. The High Commissioner should condemn the exploitation of refugees for political reasons. She should also, in the light of conditions in Iraq, call for an end to the economic sanctions, which would encourage Iraqi refugees to return home.

7. Mr. BERGUÑO (Observer for Chile) said that, despite UNHCR's best efforts, the number of refugees and displaced persons had increased considerably as a result of the prolonged crisis in the former Yugoslavia, violence in Rwanda and problems in other regions.

8. The basic rights of refugees, namely, the right of asylum and the principle of non-refoulement should be respected. Without prejudice to attempts to provide additional guarantees to countries faced with abuses of the right of asylum, the right itself should not be disregarded because that would seriously reduce the effectiveness of international protection.

9. The growing number of xenophobic attacks on groups of refugees was a cause for concern. Governments which had accepted responsibility for providing lasting protection to refugees, should step up their efforts to prevent racist attacks and any further escalation of violence. Attacks on refugees were of even greater concern when they were targeted primarily

against refugee children and refugee women, who were the most vulnerable of all refugees and deserved particular care and protection. Massive flows of refugees could be caused by a number of factors which interacted, often over long periods, gradually increasing tension and then resulting in serious crises. That combination of political, cultural, religious, ethnic, social and economic factors required an integrated approach and comprehensive solutions. Early warning and prevention had a role to play in that regard.

10. All aspects of development had to be taken into account in connection with humanitarian action. The close link could not be overlooked between extreme poverty, unemployment and marginalization and worsening social conflicts that could turn into emergencies and even serious humanitarian conflicts, as had recently been seen. One of the priorities of a strategy of comprehensive and durable solutions had to be development assistance, which would be primarily preventive in nature, but could also help in a crisis that had already broken out. To that end, inter-agency coordination was essential, as was the active commitment of agencies involved in cooperation for development. UNHCR should play a leading role in such efforts.

11. Durable solutions had to be found for internally displaced persons who were outside the scope of institutionalized protection. A broader interpretation of UNHCR's humanitarian task and its mandate would enable it to assume responsibility for the protection, on a permanent basis, of internally displaced persons, whose plight was no less serious than that of other refugees.

12. The formulation of new standard-setting instruments or the application of broader criteria should make it possible to find stable and durable solutions for such persons and pave the way for the protection of a group that certainly deserved humanitarian assistance.

13. Non-governmental organizations played a particularly important role in the field of human rights and humanitarian assistance. Their ability to prick the international conscience had been not only a decisive factor in efforts to relieve the suffering of many human beings, but had also become a crucial part of solidarity.

14. The joint efforts that UNHCR and NGOs had begun to make in connection with the PARinAC process would lead to closer and more effective cooperation between those two important actors in the field of humanitarian action.

15. After cessation clauses had been invoked in March 1994, Chile no longer recognized the refugee status of Chileans who had acquired that status. The restoration of democracy in Chile meant that there was no longer any need for Chileans to seek asylum in other countries, as they had done in and after 1973. UNHCR had given many Chileans humanitarian assistance for many years and the Government and people of Chile were grateful to it.

16. The day of solidarity with Rwandese refugees that had been held in Chile in August 1994 had helped to raise about $2,150,000, which had been handed over to the UNHCR representative in Chile. A further $220,000 had been collected by the Chilean Catholic Church and handed over to Caritas Internationalis to help Rwandese refugees. The success of the day of

solidarity had been proof of the commitment of the people of Chile to the idea of solidarity and had provided an opportunity for the entire Chilean nation to contribute to a worthy cause.

17. Mr. AYALA LASSO (United Nations High Commissioner for Human Rights) said that human rights and refugee issues were closely linked because violations of human rights usually represented the root cause of refugee flows and because political refugees and what were known as economic migrants were vulnerable human beings who often fell victim to racist attacks and were fully entitled to basic human rights wherever they might be.

18. In the past, the problem of refugees and the question of human rights had been two separate issues. Responses to the refugee problem had tended to be of an emergency nature and had overlooked the causes of the problem. Today, however, human rights were considered a legitimate concern of the international community and it was generally accepted that human rights abuses were responsible for the large number of refugees and displaced persons.

19. There was no doubt that the situation of human rights was a cause of displacement. It also played a crucial role in the search for solutions. There was no better guarantee for the return of refugees and displaced persons to their homes in safety and dignity than an improvement in the human rights situation in their country of origin. In that connection, he commended the efforts made by the High Commissioner for Refugees to ensure that UNHCR gave priority to monitoring the human rights situation of returning refugees and displaced persons.

20. A similar development was also under way in the field of international law. Human rights, humanitarian law and refugee law were being studied together and seen in a holistic manner in order to provide responses to new areas of concern. The Representative of the Secretary-General on internally displaced persons was developing the law which applied in cases of internal displacement. Studies were also being carried out on population transfers and the implications of humanitarian activities for the enjoyment of human rights.

21. In terms of institutional development, 1993 had marked a watershed in the field of human rights. The World Conference on Human Rights in Vienna in 1993 had affirmed that better protection and the promotion of human rights were an integral element of prevention, protection and solutions in cases of refugee flows. As High Commissioner for Human Rights, a post which had been established at the World Conference, he would need the support of agencies of the United Nations system, UNHCR in particular. Resources in the humanitarian field were strained. The work of humanitarian agencies therefore had to be rationalized and effective. Prevention work was clearly more cost-efficient than conflict resolution and emergency responses.

22. When prevention had failed, emergency operations were needed to help restore the rule of law quickly. Concrete and unequivocal assistance with technical advice, expertise and know-how, as well as material resources, was essential. Deploying teams of human rights monitors and specialized teams of investigators on short notice was a difficult, but essential task. Humanitarian agencies should be able to ensure their presence where stability

was at stake, play a role in facilitating the return of refugees and displaced persons and assist with their rehabilitation and reintegration in conditions of respect for human rights.

23. Prevention mechanisms included human rights education and monitoring. UNHCR provided valuable assistance and cooperation in gathering information on human rights situations, early warning and the protection of human rights and facilitated the monitoring role of treaty-based bodies and non-conventional mechanisms. Common projects for the advancement of the human rights of women and children who had been displaced or affected by armed conflict or violence or who had been otherwise traumatized should be set up by UNHCR and the Office of the High Commissioner for Human Rights. Participation in pre-return projects of human rights education or training workshops for police and army officers was another possibility.

24. The tragedy of Rwanda had taught the international community that it needed profoundly to reassess the ability of traditional mechanisms to act swiftly in emergency situations and consider new ideas such as the task force for rapid intervention in humanitarian emergencies which had been proposed by the President of Argentina and supported by the United States, Russia and European countries.

25. In a short period of time, the situation in Rwanda had led to more deaths, more refugees and more displaced persons than had ever been witnessed in the world before.

26. On 25 May 1994, the Commission on Human Rights had adopted a resolution establishing the mandate of a Special Rapporteur on the situation of human rights in Rwanda and had called on the United Nations High Commissioner for Human Rights to assist him in the discharge of his mandate. The mandate had two main elements: to report to the Commission on Human Rights, the General Assembly, the Security Council and Economic and Social Council on the root causes of and responsibilities for recent atrocities and on the ongoing human rights situation in Rwanda and to report to the Secretary-General on information gathered and compiled systematically concerning violations of human rights, humanitarian law, war crimes and genocide. The resolution also emphasized the need for a peace-building process in Rwanda to be effectively supported by a comprehensive programme of human rights assistance.

27. On 1 July 1994, the Security Council had adopted resolution 935 (1994) on the establishment of a Commission of Experts to examine and analyse information concerning grave violations of international humanitarian law and genocide in Rwanda and to present conclusions to the Secretary-General before 30 November 1994. In his report to the Security Council of 29 July 1994, the Secretary-General had stated that the Commission would be based in Geneva and benefit from the resources of the High Commissioner for Human Rights and, in particular, those which had already been made available to the Special Rapporteur of the Commission on Human Rights.

28. It had subsequently become clear that more human rights staff would be required to deal with the complex situation in Rwanda. An appeal for funds to expand human rights field activities and establish a network of an extra 20 human rights field offices had therefore been made at the Pledging

Conference on Rwanda on 2 August 1994. Following his visit to Rwanda in late August 1994, he had agreed with the Government of Rwanda that as many as 147 human rights field offices would be deployed, to cover each of the communes in the country.

29. With the deployment of the proposed number of human rights staff, the United Nations human rights operation in Rwanda would be able to investigate violations of human rights and humanitarian law, essentially for the purposes of the Commission of Experts; monitor the ongoing human rights situation, essentially for the purposes of the mandate of the Special Rapporteur and help redress existing problems and prevent possible human rights violations; cooperate with other international agencies in re-establishing confidence and thus facilitate the return of refugees and displaced persons and the rebuilding of civic society; and implement technical cooperation programmes in the field of human rights, particularly with regard to the administration of justice.

30. On the basis of the interim report of the Commission of Experts, the Security Council was considering a draft resolution which would establish an international tribunal to prosecute persons responsible for serious violations of international humanitarian law that had been committed in Rwanda since 1 April 1994. Despite logistical problems, the human rights response in Rwanda had proven to be effective. An international tribunal would administer justice by prosecuting those responsible for crimes against humanity.

31. The problems at the root of the tragedy of Rwanda had been known for some time. In mid-1993, the Special Rapporteur of the Commission on Human Rights on summary and arbitrary executions had predicted some of the possible consequences of the on-going human rights violations at the basis of the conflict between the two main ethnic groups. Early-warning procedures and machinery had been unable to anticipate what the Special Rapporteur had clearly indicated in a report submitted to the Commission on Human Rights. That was a cause for concern, especially because the reaction in Rwanda had been slow and inadequate to save human lives.

32. Burundi was in many ways similar to Rwanda. Serious violations of human rights had occurred recently and had gone largely unpunished. Several major amnesties had made it possible for the perpetrators of such crimes to avoid punishment.

33. In order to sustain the action of the Government of Burundi, he had undertaken urgent missions in May and August 1994 to develop and implement large programmes of assistance in the field of human rights. That had led to the establishment of a human rights presence on 15 June 1994 in Bujumbura. The Government of Burundi and the President had welcomed the proposal to increase the international presence to at least 10 staff members. That would lead to improved assistance to the various departments and agencies concerned with human rights and allow greater promotional and educational activities in the field, particularly in the provinces.

34. An enhanced human rights presence with international staff could play a particularly useful deterrent role with regard to human rights violations, particularly in the countryside. It would also help to strengthen the pillars

of a modern society, to be cemented in full respect for human rights and fundamental freedoms, and to establish a climate of tolerance and mutual respect whereby each and every citizen of the Republic was not a Tutsi or a Hutu, but a law-abiding member of the Burundi nation. The increased United Nations human rights presence as part of a global United Nations preventive humanitarian programme in Burundi could assist the country in avoiding the tragedy of Rwanda. It should be organized as soon as possible and his Office was ready to play its part.

35. Regarding Rwanda, there was clearly no limit as to how much investment the international community should be willing to consider in order to prevent a similar disaster recurring. Preventive human rights action in Burundi was therefore a test of the way in which Governments, United Nations agencies and international development agencies intended to act to prevent tragedies such as that of Rwanda. It was also a test to demonstrate that prevention was not merely a fashionable expression, but the reflection of a new awareness in international affairs. Preventive human rights action aimed at strengthening and/or preserving the rule of law and the pillars of the State in accordance with internationally accepted standards of human rights might avoid disasters, the collapse of Governments and their institutions and open internal or international conflicts, in turn helping to prevent flows of refugees and displaced people, as well as mass exoduses. It was worth trying the path of prevention in Burundi and elsewhere, for it would be less expensive and possibly more effective.

36. The United Nations High Commissioner for Refugees and the United Nations High Commissioner for Human Rights were on the point of signing a memorandum of understanding that would provide the framework for practical cooperation in the field in both preventive action and emergencies. A permanent dialogue between the two bodies was the key to effective cooperation and action. The international community had a responsibility to ensure the well-being of refugees and displaced persons and at least minimum conditions of respect for their basic human rights. In such endeavours, the UNHCR could count on the fullest and closest cooperation of the High Commissioner for Human Rights and the Centre for Human Rights.

37. Mr. SHAKARIMOV (Tajikistan) said that, during the civil war in his country, more than 850,000 people had become refugees or been displaced within the Republic and the situation had been complicated by a number of natural disasters in the period between 1992 and 1994. He expressed his gratitude to those States and international organizations which had provided assistance during those years.

38. Tajikistan was now entering a new phase of its development, involving socio-political stabilization, democratization and respect for human rights. A new Constitution had been drawn up which would be voted on in a national referendum and a law had been passed granting an amnesty and speeding up the return of refugees. With the assistance of the United Nations, two rounds of inter-Tajik negotiations had taken place and an agreement had been signed on a temporary suspension of military action, which was being monitored by United Nations observers.

39. Some 667,000 of the 697,000 displaced persons in Tajikistan had already returned to their previous place of residence and almost 40,000 of the 60,000 refugees who had fled to Afghanistan had returned to Tajikistan. The majority of them were returning to destroyed economies and burned-out homes and many faced a harsh winter with no wage-earner in the family. Approximately 50,000 children were orphans and there was a high incidence of sickness and hunger. The Government of Tajikistan was doing all it could to provide assistance, but many firms had ceased production because of a lack of raw materials and spare parts since deliveries from countries of the Commonwealth of Independent States had come to a halt owing to liquidity problems. There were similar problems in the transport sector and, because of insufficient convertible currency reserves, salaries and pensions were not being paid and the Government was no longer in a position to continue its assistance to refugees and displaced persons.

40. The Government of Tajikistan had prepared legislation designed to achieve monetary union with the Russian Federation, but, until the economy had stabilized, there was a need for continued assistance from the international community, international organizations and, especially, UNHCR. It was particularly important to complete the process of the return of refugees and displaced persons from Afghanistan, the Pamir region and the Commonwealth of Independent States. It was also necessary to accelerate the UNHCR programmes for the reconstruction of 70,000 destroyed homes in the Hatlon region. It would also be desirable rapidly to activate the UNHCR programme on small-scale enterprises in order to produce what the returnees urgently needed.

41. In order to achieve self-sufficiency, Tajikistan needed help to build institutional capacity and acquire technological know-how at the district and provincial levels. A number of training courses had been organized by the ILO, IOM and UNHCR and rehabilitation and reconstruction courses should be organized in the provinces most affected. There were three categories of people who needed help: former refugees or returnees, internally displaced persons and victims of war. The specific mandates of aid agencies meant that the assistance given by the international community was selective and almost discriminatory. Those who had fled their homes received more attention than those who had stayed behind and whose houses had been looted or destroyed. In many cases, selective external aid had become a cause of tension and conflict between communities. That was a fundamental conceptual problem and it would be useful for the UNHCR and other aid agencies, as well as donor Governments, to consider measures to redress the imbalances and mitigate the tensions created.

42. With the relative stabilization of the situation in Tajikistan, it was time for assistance to move from the humanitarian to the developmental level. Emergency relief should be not the end, but the beginning of a process that should continue uninterrupted. The development and financial institutions of the United Nations system should join hands with UNHCR to maintain the momentum of reconstruction. Failure in that regard would result in an increase in the level of unemployment, a sharp fall in living standards and an escalation of tension due to the suspension of the payment of salaries and pensions. Without timely development aid, there was a clear danger of renewed

socio-political instability and conflict. On behalf of his Government, he appealed to the international community to help his country break the vicious circle and achieve self-sufficiency.

43. Mr. KULAH (Observer for Liberia) said that, since the beginning of the armed conflict in his country in late 1989, Liberia had been a nation of widely displaced people. Following the establishment of a transitional Government in March 1994, which was supposedly a Government of national unity, yet another round of violence had erupted which had sent a wave of Liberian refugees into Guinea and Côte d'Ivoire. The situation in Liberia as a result of the latest round of fighting was deteriorating and the United Nations and the international community in general had begun to withdraw so-called non-essential personnel. The largest hospital in Liberia had been looted and some 30,000 civilians trapped in that area were said to be unaccounted for. All relief workers and international personnel had been withdrawn from areas outside the control of ECOMOG.

44. In a country which was largely controlled by de facto entities without international recognition and a Government without coercive power depending on a peace-keeping force, it had been difficult to provide credible protection for the internally displaced and the refugees within Liberia's own borders, yet the need for protection, including physical security and access to basic amenities, was greater than ever. Liberia had been particularly disturbed by the latest decision of the international community to withdraw so-called non-essential personnel because that gave people who already lacked credible access to protection the impression that they were being abandoned. He urged the Executive Committee to appeal to all warring factions in Liberia and their supporters to respect the safety and security of humanitarian workers, as well as of displaced persons, returnees and refugees, and, furthermore, to call on the Security Council and the Secretary-General of the United Nations to extend the mandate of UNOMIL and provide generalized support to the peace-keeping forces in Liberia.

45. Since 1991, Liberia had been redeveloping a civil administration which had been totally destroyed in the fighting and the present deteriorating circumstances in the country that was forcing the United Nations and international non-governmental organizations to scale down their activities merely underscored the need to strengthen and assist in the building of those governmental institutions, their personnel and local non-governmental organizations. The situation in Liberia called for urgent international action. As had been described by the representative of Tajikistan, Liberia had encountered a discriminatory approach to the problems of refugees in various parts of the world. The Executive Committee should not forget, or give a lower level of priority to, situations such as those which prevailed in Liberia and which had presented some of the most horrifying humanitarian tragedies the world had ever seen.

46. Mr. JOON HEE LEE (Observer for the Republic of Korea) said the optimism of the post-cold war era had now given way to pessimism, with international conflicts resulting in human rights tragedies on a scale not witnessed since the Second World War and, on two occasions, genocide and other atrocities, particularly against women and children, accompanying a massive outpouring of refugees which had at times been overwhelming. UNHCR had acted bravely to try

to ease international suffering and one staff member had paid the ultimate price; he joined the High Commissioner and other members of the Executive Committee in recognizing the contribution made by the field officer killed in Northern Burundi and expressed his support for extending the draft international convention on the safety and security of United Nations and associated personnel to United Nations humanitarian staff and their partners from non-governmental organizations.

47. Refugee crises were preventable. Once refugees were on the move, that meant that tragedies had already occurred. Prevention might not be the direct responsibility of UNHCR, but it would make its responsibilities easier to fulfil. More should be done to develop a comprehensive approach to refugee problems and he expressed his support for the High Commissioner's proposal for the establishment of an inspection and evaluation service within UNHCR. More attention should also be given to improving the existing legal tools: there were many displaced people who were technically not considered to be refugees and who did not have sufficient protection, so temporary non-binding guidelines should be drawn up to cover the gaps in the existing legal instruments.

48. Voluntary repatriation was the most desirable response to the plight of refugees. Forced repatriation should not be permitted and the principle of non-refoulement should be respected. In cases where political asylum was sought, there should be easy access to decision-making authorities and those authorities should make their decisions both rapidly and correctly so that suffering was not prolonged.

49. The conditions of refugees in Asia were improving. Myanmar refugees in Bangladesh were returning home and there was a continuing dialogue between Bhutan and Nepal for the return of 80,000 refugees in Nepali camps. There was also increasing assistance from Asian countries themselves; his Government had participated in Myanmar, Eritrea, the Caucasus and Rwanda and intended to do more. In Rwanda, his Government had contributed more than US$ 850,000 in money, medicine, vehicles and containers and was also supplying personnel, in particular water supply experts. Non-governmental organizations from his country had committed some US$ 900,000 and almost 50 people to Rwanda, including medical personnel and relief experts.

50. Mr. KELATI (Observer for Eritrea) said that, after years of struggling for independence, his country was attending the Executive Committee session for the first time as a sovereign State. One of the challenges his Government had faced after liberation had been the question of the approximately 750,000 Eritrean refugees living in all parts of world. The majority had already indicated their willingness to return home soon.

51. Having fought long and hard to win its right to self-determination, Eritrea now stood on the verge of a new era in its history and appealed to the international community to support its efforts for rehabilitation, recovery and self-reliance. Regrettably, the country lacked the resources needed to embark on the rehabilitation process, which required the participation of all Eritreans and, consequently, the early return and reintegration of Eritrean refugees from abroad.

52. His Government had requested donors to finance the Programme for Refugee Reintegration and Rehabilitation of Resettlement Areas in Eritrea (PROFERI), which would facilitate the return of the 420,000 Eritrean refugees still remaining in Sudan after the spontaneous return of some 80,000 refugees since the ending of the war in May 1991. The launching of PROFERI, originally scheduled for the beginning of 1994, had been delayed as a result of the low level of pledging in response to his Government's appeal in July 1993. The fact that only US$ 32.5 million, including 12.5 million for food aid, had been pledged out of the US$ 111 million requested for phase 1 of PROFERI had induced his Government to conduct a major review of its strategy by designing a pilot programme to form the start of phase 1 of PROFERI and to undertake work which would facilitate further mobilization of resources. The executing agency with overall responsibility for the design and coordination of PROFERI was the Government Commission for Eritrean Refugee Affairs (CERA). The National Programme Coordinating Committee (NPCC), composed of CERA, sectoral ministries and UNDP/DHA to represent donors, including the United Nations agencies and non-governmental organizations involved, had been formed at the national level to ensure smooth coordination of PROFERI and to facilitate inter-ministry and donor interactions. The pilot programme aimed at resettling an estimated 24,000 refugees (about 4,500 families). Phase 1 would immediately follow the pilot project midway through 1995 and would involve the repatriation of some 135,000 refugees.

53. The role of non-governmental organizations in Eritrea dated back to the period of the liberation struggle. In cooperation with sectoral ministries and local non-governmental organizations, international non-governmental organizations were already engaged in various rehabilitation, recovery, repatriation and reintegration activities. In cooperation with some donor countries, his Government had begun to train returnees in skills such masonry, carpentry, mechanics, tractor driving, sewing, etc., and 1,500 were expected to complete their training by the end of 1994. The training programme was scheduled to continue until 1997, with the skilled labour force it produced taking part in the overall refugee repatriation and reintegration programme. Specialist Eritrean Returnee Volunteers (UNV-SERV) would be encouraged to join the programme in order to enhance the capacity of CERA and the sectoral ministries involved in its implementation.

54. After 30 years of war, Eritrea was embarking on the long and difficult process of reconstruction. The energy and enthusiasm of returnees could be a powerful force not only for starting their own new lives in the homeland, but also for helping to rebuild the country. Despite its meagre resources, his Government had made significant efforts to prepare the way for a sustainable PROFERI. Reception centres had been built and settlement sites made ready; communities were already being mobilized to work on road improvement, collect building materials and provide unpaid labour for construction. Water sources had been identified, health centres had been built or were in process of completion and technical staff were being trained within the constraints of the limited national budget. Although hampered by widespread bureaucratic practices, negotiations with donors were taking place at various levels with a view to the transfer of funds.

55. The peace in Eritrea was now secure enough for donors to visit the country and see for themselves the destruction wrought by the war. Active

cooperation and experience-sharing were needed; good results could not be obtained by simply staying at headquarters and comparing the Eritrean experience to that of other countries.

56. As a coordinator between the host country and the country of origin, UNHCR was responsible for bringing back voluntary returnees according to priorities established in cooperation with the host country. The situation in settlement camps, reception centres and urban areas should be closely examined with a view to selecting vulnerable and destitute families for priority treatment. In response to the Sudanese representative's comments concerning the selection of returnees, he pointed out that selection was indispensable because funds were not available to bring all the refugees back at once.

57. The UNHCR presence in the Horn of Africa should be strengthened so as to facilitate repatriation and to assist field staff in taking quick decisions. At the same time, discussions with the countries concerned should be conducted from a closer angle. Many refugees were returning spontaneously because of delays in organized repatriation. Those groups should also receive attention; their safe return should be observed and assistance to them should be provided in the form of minimum transport and reintegration packages. In conclusion, he urged the donor community to facilitate repatriation and to make a one-time assistance contribution for repatriation and reintegration.

58. Mr. RADJABOV (Observer for Azerbaijan) said that, as a result of the Armenian aggression now in its seventh year, over a fifth of his country's territory was occupied by Armenian military forces and tens of thousands of people, including many women, children and old people, had been killed, wounded, imprisoned and taken hostage. His country's just demand for the complete and unconditional withdrawal of Armenian armed forces from occupied territories in Azerbaijan was reflected in numerous decisions by international organizations, including four Security Council resolutions. The aggressor's refusal to abide by those decisions was responsible for the presence of about 1 million refugees and displaced persons in Azerbaijan today.

59. On behalf of the Government and people of his country, he thanked all international organizations involved in efforts to help refugees, foremost among them UNHCR, which had been the first organization to extend a helping hand to his people. Taking into account the present difficult situation of the displaced persons and the prospect of their eventual return to homes burned down by the aggressor, he suggested that programmes for internally displaced persons should be elaborated or reviewed before 1995.

60. Recent attempts to destabilize the situation in his country had been thwarted by the people of Azerbaijan united around their President and determined to defend their country's independence and territorial integrity. In thanking all the States and international organizations which had helped Azerbaijan, he said he was confident that his country would one day take its place among donor States able to help other countries in need.

61. Mr. GOONETILLEKE (Observer for Sri Lanka) said that UNHCR deserved to be commended for living up to the expectations it had inspired over the years and should be encouraged to meet newly-emerging challenges. He endorsed many of the points made by the Chairman in his opening statement at the 489th meeting

and, in particular, agreed that action towards an appropriate categorization of asylum-seekers called for priority attention on the part of the international community. However, important as it was to streamline asylum procedures with a view to strengthening a uniform legal regime, it was also important to overcome economic disparities existing between countries of North and South and to ensure a sustained flow of assistance from the developed to the developing world. Such a double-track approach could certainly help to stem the flow of economic refugees.

62. In Europe, the harmonization of asylum policies and legislations following the entry into force of the Maastricht Treaty was a step in the right direction. It was to be hoped that the reform of laws on asylum would be expanded to all refugee-receiving countries so as to ensure that asylum became an effective form of protection for genuine refugees. But steps also had to be taken to protect refugees from being subjected to xenophobic attacks and the initiatives of refugee-receiving States in reforming their asylum laws should be accompanied by a re-evaluation of protection principles in the context of the increasing threat to refugees' lives.

63. The PARinAC process set in motion in Oslo in June 1994 was an important landmark in the effort to reduce the economic disparities which encouraged refugee movements and to preserve or, rather, create the continuum from relief to development. The contribution of humanitarian non-governmental organizations to the welfare of civilians in times of social tensions and conflicts could not be overemphasized.

64. Referring to recent developments in his country, he recalled that the problems in the northern and eastern provinces of Sri Lanka had resulted in the displacement of a cross-section of the three communities living in those areas. The welfare centres and open relief camps run by UNHCR with strong support by the Government and with the assistance of humanitarian non-governmental organizations had provided interim protection for the internally displaced. The newly-elected Government of Sri Lanka, which was committed to efforts to bring the problem to an end as early as possible through constructive dialogue, deeply appreciated the dedicated and timely services provided by those organizations.

65. Prince SOBANDLA DLAMINI (Observer for Swaziland), commending UNHCR for its work in connection with the voluntary repatriation of Mozambican refugees from his country, said that the High Commissioner, as well as the King of Swaziland and the President of Mozambique, deserved a special tribute for visiting the refugee camp at Malindza, an event extensively covered by the international press. His Government was proud to report that the process of voluntary repatriation had taken place as smoothly as planned. At the command of his Head of State, he had accompanied the first trainload of returnees, which had been warmly received by the FRELIMO Government together with RENAMO officials.

66. Because of the smallness of his country's territory and the economic pressures on its Government and citizens, the voluntary repatriation of the Mozambicans had created a strong sense of relief. However, bearing in mind the voluntary nature of the exercise, a number of persons, especially women and children, had opted not to return. It was unfortunate that such people

were considered ineligible for assistance from UNHCR or international donors. The assistance provided by UNHCR, the World Food Programme and non-governmental organizations such as the Lutheran World Federation (LWF) and Caritas had been extremely valuable in the past. The issue of refugees who refused repatriation called for realism and pragmatism on the part of all concerned. The simple truth was that Swaziland, beset by a lingering drought, a high unemployment rate and inflation, was incapable of meeting the needs of those people without help from UNHCR or international donors. In that connection, he expressed his Government's approval of the appointment of Mr. Nicholas Buwakira as the UNHCR Regional Representative in southern Africa.

67. Another problem of concern to his Government was the steady influx of people - some of whom did not meet the definition of refugees - from Rwanda, Angola, Zaire, Ethiopia, Liberia and Somalia. The main problem arose from the lack of discipline and respect for UNHCR staff and Government officials on the part of some of those persons, an attitude which had led to physical fighting between persons of different ethnic backgrounds. Although he did not ascribe such incidents to racial or tribal tendencies, he noted that such regrettable behaviour had never been experienced while Mozambican refugees had been alone in the camps. Frustration and intolerance of other cultures could be a factor in some instances. That was why his Government continued to advocate that some sort of refugee swapping system should be envisaged in order to avoid urban refugees being placed in camps designed for rural refugees, a situation which could and did create heightened tensions.

68. His Government had recently proposed the adoption of a regional approach in order to ensure that countries did not take unilateral decisions which amounted to reneging on the duty of burden-sharing in face of the refugee problem. The principle that the country of first asylum was responsible for refugees should be upheld so as to avoid the current practice whereby some States simply gave a green light to large numbers of refugees, thus palming the burden off on to other countries.

69. Mr. LONGANGE (Observer for the Organization of African Unity) pointed out that, since the Executive Committee's forty-fourth session, the number of refugees and displaced persons in Africa had risen from 6 to 8 million and from 15 to 20 million, respectively, and that their situation had deteriorated greatly. Refugee-reception areas, in Tanzania and Zaire particularly, looked like lunar landscapes. The hitherto friendly local populations were in danger of becoming xenophobic. In order to avoid the worst, reconstruction assistance should be extended not only to Rwanda itself, but also to its neighbouring countries, especially Tanzania and Zaire, which had had to bear the cost of the Rwanda conflict.

70. In an effort to settle such conflicts, which were among the major causes of refugee flows, OAU had established a conflict prevention, management and settlement mechanism in June 1993, whose initiatives had included sending observers to Rwanda and Burundi and special representatives to Liberia and Mozambique. An observer mission had also been sent to South Africa before the historic elections in that country. OAU was also keeping a close watch on the situation in Somalia, Angola, Western Sahara and other areas where tension was high.

71. So far as refugee problems were concerned, the OAU Commission of Fifteen, now expanded into the Commission of Twenty, had visited some 15 refugee-receiving member States to discuss ways and means of finding durable solutions. OAU had continued its policy in the field of refugee education by granting scholarships to refugee students. The majority of OAU's income-generating projects for refugees had unfortunately had to be frozen because of the lack of financial resources, but it was hoped that those projects could soon be continued with assistance from donors. OAU also provided token assistance to member States receiving refugee influxes.

72. The long-term answer to the refugee problem was, however, not a matter of one-time assistance, but one of coming to grips with the root causes of refugee flows and of creating the political and economic conditions needed in order to encourage citizens to stay in their countries. Voluntary repatriation was also a solution, provided that peace and security in the country of origin could be guaranteed.

73. His organization spared no effort to develop and strengthen cooperation with organizations that worked for peace and human rights. It provided full support to voluntary and philanthropic agencies which gave assistance to refugees. Cooperation between OAU and UNHCR was also increasing and his organization always sought to make it more dynamic.

74. During the current year, OAU had commemorated the twenty-fifth anniversary of the adoption of its 1969 Convention governing the Specific Aspects of Refugee Problems in Africa. Events had been organized on the occasion of African Refugee Day. Within the framework of the recommendations of the OAU Council of Ministers and the Executive Committee of UNHCR, the OAU secretariat and UNHCR had jointly organized a symposium on refugees and forced populations displacements in Africa in Addis Ababa from 8 to 10 September 1994. It had been attended by representatives of OAU member States, States members of the UNHCR Executive Committee, competent organizations of the United Nations, intergovernmental and non-governmental organizations concerned with human rights and humanitarian assistance to refugees, repatriated persons and displaced persons and eminent members of the academic world. The symposium had enabled the participants to evaluate the important contribution made by the 1969 OAU Convention. The recommendations of the symposium would serve as guidelines for future actions by Governments seeking to find durable solutions to the problems of refugees.

75. He assured the Executive Committee that OAU would continue to collaborate with UNHCR and other international organizations and voluntary agencies dealing with refugees in Africa. In that connection, it hoped that OAU and UNHCR would undertake joint field missions whenever necessary. His organization would also like UNHCR and other organizations to assist it in training its field officers.

76. Man was one whether he was yellow, red, white or black. There was only one planet Earth and it should be made hospitable. Africa had always opened its frontiers to its refugees and could do so again for non-Africans, as it had done in welcoming peoples coming from elsewhere, from the Huguenots to Asians. Their presence could be seen in southern, eastern and central Africa. Those peoples had undeniably become Africans. However, other parts of the

planet Earth, although generous when it came to improving the living conditions of African refugees, no longer wished to receive those refugees, but the fact that Africans believed that man was a collective being did not mean that Africans wished to invade the rest of the world collectively. They simply claimed their share of humanity and wished to move about the planet in dignity in order to share in the heritage of mankind.

77. His comments should not be regarded as an attempt to pardon African States where justice was clearly denied and where liberty was sometimes trampled. There was a need for greater tolerance to ensure that Africans would not be obliged to leave their continent so often.

78. Africa must get a grip on itself because it was clear that the flow of assistance would one day end in the same way that the cold war which had given it the impression of importance had disappeared for ever. At a time when the world was witnessing European and North American unions, it was essential for Africans to end the continent's economic and social isolation.

79. In conclusion, he expressed the wish that the OAU Commission of Twenty and senior officials of UNHCR should meet twice a year, once in Geneva and once in Addis Ababa, specifically to consider the problems of refugees and displaced persons in Africa. It would also be desirable for the Commission of Twenty to be involved in the repatriation of refugees and displaced persons. The Commission of Twenty would also like to be closely associated with or consulted on all matters relating to refugees and displaced persons in Africa.

Adoption of the report of the Subcommittee of the Whole on International Protection (A/AC.96/837)

80. The CHAIRMAN invited Mr. Boddens-Hosang, Chairman of the Subcommittee of the Whole on International Protection, to introduce the Subcommittee's report (A/AC.96/837).

81. Mr. BODDENS-HOSANG (Chairman of the Subcommittee of the Whole on International Protection), introducing the Subcommittee's report (A/AC.96/837), said that it dealt with the proceedings of the meeting held by the Subcommittee on 28 September 1994, when it had discussed issues including the Note on International Protection (A/AC.96/830), the twenty-fifth anniversary of the adoption of the OAU Convention and the report of the Subcommittee meeting held on 18 and 19 May 1994. The annex contained the text of the draft decision adopted by the Subcommittee by consensus on the subject of internally displaced persons. The Subcommittee hoped that the Executive Committee would adopt its report by consensus.

82. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee adopted the report of the Subcommittee.

83. It was so decided.

84. The CHAIRMAN invited the Chairman of the Sub-Committee to brief members on the Executive Committee/NGO consultations that had taken place on 30 September 1994 on the question of the Oslo Declaration and Plan of Action.

85. Mr. BODDENS-HOSANG (Chairman of the Sub-Committee of the Whole on International Protection) said that "Partners in action" was the slogan that had been uniting UNHCR and NGOs for more than a year, culminating in the Conference held by UNHCR and NGOs in Oslo in June 1994. He had informed the Oslo Conference in his closing statement that he intended to convene a meeting at the end of September in Geneva between UNHCR, NGOs and Executive Committee members and observers in order to assess collectively the importance of the Oslo Declaration and Plan of Action.

86. The meeting had taken place on 30 September in an informal session and had been attended by representatives of member States, observers and NGOs. It had been addressed by Mr. McNamara, Director for External Relations of UNHCR, Mr. Nordby, Chairman of the Executive Committee of the International Council of Voluntary Associations (ICVA) and himself. A short introduction had then been given on each of the five chapters of the Oslo Declaration, which dealt with refugee protection, internally displaced persons, emergency response, the continuum from relief to rehabilitation to development, and the UNHCR/NGO partnership. As members were aware, some of those topics were already on the agenda of the Executive Committee's Sub-Committee of the Whole on International Protection.

87. The discussion had developed into a lively dialogue between representatives of Governments and NGOs. The meeting had been so well received that proposals had been made to have it repeated in the future, but he had indicated in his opening statement that the meeting was unique and might not necessarily be repeated.

88. NGO representatives and some Government delegations had proposed that the Oslo Plan of Action should be endorsed by the Executive Committee at its forty-fifth session. An appeal had also been made for adequate financial support for the follow-up to the PARinAC process and the implementation of the recommendations. Some Government representatives had drawn attention to the large number and wide range of the recommendations and the need to make progress in their implementation on a systematic basis. While increased coordination between UNHCR and NGOs had been welcomed, the importance of coordination between NGOs had also been highlighted. The importance of training had been repeatedly stressed as a means of increasing the effectiveness of and achieving the goals set out in the PARinAC process.

89. The subjects of emergency relief and internally displaced persons had taken more time than expected and the questions dealt with in the chapters of the Oslo Declaration concerning the "continuum" and NGO/UNHCR partnership had therefore not been sufficiently discussed. The Oslo Plan of Action had been found to be rich in material for further action and discussion. He was sure that ongoing consultations would lead to a consensus decision in the Executive Committee.

90. Mr. BOULLE (Department of Humanitarian Affairs (DHA) said that, together with the members of the Inter-Agency Standing Committee, including UNHCR, DHA had made considerable headway over the past 12 months in developing the modalities for effective and comprehensive responses to major and complex emergencies.

91. It had become quite clear that such responses could be brought about only if all the actors worked together to meet the needs of the victims of emergencies. For the successful execution of large-scale emergency humanitarian operations, it was necessary to mobilize all relevant capacities within the United Nations system, the non-governmental sector at both the national and the international levels and the donor community.

92. Large-scale emergencies often benefited from a broad-based regional approach and from programming that could adapt rapidly to changing circumstances. In the case of Rwanda, it had been seen that strategic humanitarian action could be effective in preventing massive displacement.

93. Medium-term and long-term solutions to large-scale humanitarian crises in ethnic conflict situations could often be brought about only if there was confidence that basic human rights would be respected. The international community could play an important role in that regard and the deployment of humanitarian monitors, such as was under way currently in Rwanda, was one of the ways in which it could help to stabilize the situation and create conditions for reconciliation. As was known, after consulting with the members of the Inter-Agency Standing Committee, the Emergency Relief Coordinator had decided to make available to the High Commissioner for Human Rights US$ 3 million from the Central Revolving Fund to allow the High Commissioner to dispatch without further delay the human rights monitors required in the situation in Rwanda.

94. DHA was currently undergoing a reorganization to increase its capacity to facilitate timely and comprehensive responses to humanitarian crises. It was reviewing and strengthening, in association with the members of the Inter-Agency Standing Committee, the system's capacity to respond rapidly to emergencies. In that respect, it should, wherever feasible, build on the creative use of military assets under civilian leadership and mechanisms traditionally used in the case of natural diseases. Efforts were also under way to increase the size of the Central Emergency Revolving Fund. DHA was working within the Inter-Agency Standing Committee to make optimum use of existing mechanisms for early warning, contingency planning, identification of needs and programming of assistance. The division of responsibilities between all the actors in humanitarian crisis situations was vital and the Emergency Relief Coordinator took that task seriously.

95. DHA agreed that every effort should be made to avoid new layers in the international humanitarian response system. Field coordination mechanisms should be as lean as possible, but there was a need to ensure sufficient capacity for the fulfilment of their tasks. The use of logistical and technical support facilities, made available from donors, could make the difference between an inadequate coordination effort in the field and one that was useful to everyone. An example of such a capacity being made available was the deployment of the team from the Swedish Rescue Services Agency to the United Nations Rwanda Emergency Office in Kigali.

96. The capacity of humanitarian organizations within and outside the United Nations system had been used to the full for quite some time. Under those circumstances, strategic planning could sometimes be seen as not addressing the immediate concerns. However, considerable thought should be

given to reviewing the way in which the system dealt with humanitarian crisis situations and how it could prevent humanitarian crises from developing in the future. It was of paramount importance that the international community should invest in capacity for strategic action to be taken before potential crises developed into full-scale crises.

97. Unfortunately, activities that could prevent and militate humanitarian crises in their early stages remained severely under-funded. Whereas there was a need for all involved to make more effective use of available resources, donors also had to be alerted to the need to be flexible in the use of funds, to make funds available at earlier stages of developing humanitarian crises and to provide funds to help communities get back on the path of sustainable development. Funds should not follow the rapidly changing and sometimes arbitrary priority setting of the news media.

98. DHA worked closely with the Department of Peace-Keeping Operations and the Department of Special Political Affairs in New York. That allowed for the effective coordination of United Nations responses to complex emergencies where the humanitarian response had to go hand in hand with peace-keeping operations and political initiatives.

99. DHA had taken note of the constructive references made to its work in the general debate and, in particular, of the support given to the Emergency Relief Coordinator in defining responsibilities among the actors in humanitarian crisis situations through the mechanism of the Inter-Agency Standing Committee. It had also noted the wish expressed that IASC should define ways in which the United Nations and other concerned organizations could better ensure comprehensive and timely responses to the plight of the displaced, an effort that should be made together with the Secretary-General's representative for internally displaced persons.

100. Mr. COPPENS (United Nations Development Programme) said that CIREFCA had proved to be an invaluable process and had contributed to peace in Central America. UNHCR and UNDP had enjoyed fruitful inter-agency collaboration in supporting that process, which had provided important lessons for other areas of the world.

101. The Declaration of Commitments approved at the final international meeting of CIREFCA Follow-up Committee in Mexico City in June 1994 involved the launching of a new stage where the actors endorsed a new and wider framework for action with a change of emphasis. The aim was to implement sustainable human development strategies that concentrated action on critical geographic areas selected as priorities by the participating countries. Efforts at the local level were to be closely linked with overall and sectoral national policies.

102. UNDP had served as the secretariat of a temporary commission established to recommend mechanisms at the local, regional and national levels and to facilitate the promotion, implementation and follow-up of activities related to compliance with commitments made.

103. UNDP considered that the new framework and mechanisms to facilitate dialogue and concerted action among all the parties concerned would favour the

implementation of sustainable human development programmes which attacked the roots of conflict in Central America and would therefore contribute to the consolidation of peace in the region.

104. UNDP would work jointly with UNHCR and other United Nations agencies in Central America and was ready to commit itself to similar actions in other regions of the world and to provide priority support, through its regional and national programmes, to the efforts of Governments and civil societies to eradicate poverty and formulate in a concerted manner strategies, methodologies and periodic evaluations to make the concept of sustainable human development operational in its different dimensions.

105. Ms. ESCALER (International Organization for Migration) said it had been recognized over the past few years that the nature of migration flows around the globe was ever more complex and generated by varying combinations of economic distress, ethnic violence, natural disasters, political instability and armed conflict. That variety of root causes and the resulting displacement situations had continued to determine the context of cooperation between UNHCR and IOM.

106. The partnership between the two organizations remained strong. In a context where it was increasingly difficult to draw a clear line between refugee flows and other forms of displacement requiring attention by the international community, that partnership was of particular relevance when IOM's broad migration mandate could usefully complement the humanitarian responsibilities of UNHCR vis-à-vis refugees and other persons of concern to them.

107. The following list included a few of the many situations of concern to both organizations: the world-wide phenomenon of irregular migration, especially when large numbers of such irregular migrants claimed to be in need of asylum or other protection; the return of unsuccessful asylum-seekers and the repatriation of UNHCR-mandated refugees; capacity-building in the field of migration banishment and refugee flow response on behalf of Governments struggling with new and sudden migration and refugee problems; and orderly immigration and departure arrangements for needy nationals, resettlement of refugees from countries of first asylum and preventive information dissemination activities.

108. The interfaces between UNHCR and IOM were many and the High Commissioner and the IOD Director-General had therefore agreed to set up a working group of IOM and UNHCR officials who had developed specific issue papers in the past 18 months which defined various areas of key activities requiring practical complementary action and ongoing consultation.

109. Referring to some of the specific areas of cooperation between UNHCR and IOM, she said that one of the major refugee movements of the current half century was coming to an end in South-East Asia. Some 1.3 million refugees had been resettled and some 65,000 persons had been assisted in their return under the terms of the Comprehensive Plan of Action (CPA) and as a result of close cooperation between the two organizations. The concluding stage of CPA would challenge the two organizations' ability to find a solution to the problem of non-refugees not eligible for resettlement.

110. In Afghanistan, IOM continued to provide transportation assistance to Afghan refugees wishing to repatriate under UNHCR auspices.

111. With regard to Africa, in Rwanda and the neighbouring countries, conditions did not yet permit an organized repatriation of refugees. However, over 35,000 refugees had spontaneously returned to Rwanda. They had been provided with transport assistance by IOM within the United Nations coordinated humanitarian operation. It should also be noted that IOM implemented its own complementary programme to assist the internally displaced in returning home.

112. In Mozambique, the situation was somewhat happier and IOM had cooperated closely with UNHCR in the return of refugees from neighbouring countries while at the same time managing programmes for the demobilization and reintegration of soldiers and assistance to vulnerable internally displaced persons.

113. In the former Yugoslavia, the IOM/UNHCR Medevac programme continued to provide relief for patients requiring urgent medical treatment in third countries.

114. IOM and UNHCR had also started a consultation process concerning the possibility of organizing an international conference on refugees and forced displacement in the CIS and Baltic States. IOM programming in the former Soviet Union had been quite substantial over the past few years and her organization hoped that the comprehensive analysis of the various forms of displacement in that region would help to advance the search for solutions and increased cooperation among concerned Governments. In December 1994, IOM would organize a follow-up workshop on citizenship and related matters with the CIS and Baltic States.

115. In conclusion, she noted that IOM had benefited from its participation in the dialogue established between UNHCR and its NGO partners under the PARinAC process.

The meeting rose at 6.05 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES

Forty-fifth session

SUMMARY RECORD OF THE 495th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 6 October 1994, at 10 a.m.

Chairman: Mr. KAMAL (Pakistan)

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General debate (continued)

Programme, administration and finance

(a) Review of UNHCR programmes financed by voluntary funds in 1994-1995 and of proposed programmes and budget for 1995

(b) State of contributions and overall financial requirements for 1993 and 1994

(c) Administration and management

(d) Adoption of 1995 general programmes

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GE.94-04043 (95-95306/EXT)

The meeting was called to order at 10.20 a.m.

GENERAL DEBATE (agenda item 4) (continued)

1. Mr. NGENDAKUMANA (Observer for Burundi) said that he was sorry that for reasons of political time-tabling he had not been able to speak earlier. Following the assassination of Burundi's first democratically elected president the country had been stricken by a socio-political and humanitarian crisis unprecedented in its history. For example, during October and November 1993 alone, more than 50,000 people had been killed and more than 700,000 exiled to neighbouring countries, and the social and economic infrastructure had been shaken to its foundations. Today, a year after those events, the situation remained worrying: the country had in its territory 593,000 displaced persons and 200,000 Rwandese refugees, and 200,000 of its own nationals were still living as refugees, mainly in the United Republic of Tanzania and Zaire.

2. Two countries of origin, Burundi and Rwanda, and several countries of reception, mainly Burundi - for the reception of Rwandese refugees - and the United Republic of Tanzania and Zaire were today confronted with humanitarian, security and political-diplomatic problems connected with refugees. The Government of Burundi was aware of the seriousness of the situation and thought that Rwanda and the neighbouring countries in question, i.e. Burundi, Uganda, the United Republic of Tanzania and Zaire, should meet together in a clearly defined framework in order to seek comprehensive and lasting solutions. To that end Burundi endorsed the idea of an international conference on peace and security in the subregion organized by a tripartite partnership of Rwanda, the countries sheltering Rwandese refugees, and the international community. Rwanda should undertake to provide assurances of security for returnees and guarantee that they would be able quickly to regain possession of their property, and convince its neighbours and the international community that the returnees would be socially and politically reintegrated in order to avoid the risk of ethnic and political Balkanization. Burundi would itself undertake to provide guarantees for the Rwandese authorities to enable them to make contact with the Rwandese refugees and encourage them to return home. To that end it would invite the Rwandese authorities to meet the refugee leaders in their camps and facilitate all their movement. Burundi was ready to help with the technical preparations for the conference and, possibly, to host it.

3. His delegation paid a warm tribute to Mrs. Ogata, the High Commissioner for Refugees, for the active UNHCR presence in Burundi, and hoped to see UNHCR sponsor the international conference to which it had referred. It also paid a tribute to Mr. Lasso, the High Commissioner for Human Rights, for the active support which he had given to the Government and people of Burundi on several occasions. In conclusion it conveyed the regrets of the Burundi Government concerning the tragic death of the UNHCR staff member Mr. José and gave an assurance that the enquiries were being pursued.

4. Mr. SANHOUIDI (United Nations Volunteers), speaking on behalf of Ms. McSweeney, the Executive Coordinator of the United Nations Volunteers (UNV), said that during the past decade more than 2,000 UNV specialists had taken part in the humanitarian work of United Nations agencies and had also assisted UNHCR in all aspects of its refugee work - reception, protection, transit, repatriation and resettlement. Since less than three years ago, when UNV had acquired a humanitarian window, a close partnership had been established between

the two organizations. UNHCR was now the largest user of UNV specialists in the United Nations system. There were currently about a hundred specialists serving with UNHCR. UNHCR and UNV had established a mechanism for the rapid deployment of the specialists in emergency situations to complement the Office's personnel. The Memorandum of Understanding spelling out the operational modalities of that mechanism was being finalized.

5. The support of member States had been essential to the increased involvement of the United Nations Volunteers in emergency situations. Of special note were the contributions received from the Governments of Canada, the United States, Japan, Ireland, the United Kingdom and Sweden to finance the participation of UNV specialists in UNHCR activities in the former Yugoslavia and in Africa, in particular Rwanda.

6. Like UNHCR, UNV was convinced that a lasting solution to the refugee problem meant that the communities which had to receive the refugees on their return to their countries of origin must be able to absorb the shock of such a mass influx. The reintegration of returnees and the post-conflict recovery effort therefore required community-based assistance to promote independent development, confidence-building and respect for human rights. Within that context the United Nations Volunteers wanted to build closer links with UNHCR in quick impact projects in order to promote downstream participatory rehabilitation and sustainable human development.

7. In order to build on the experience of its community services workers who had served with UNHCR in the former Yugoslavia, UNV wanted to increase its cooperation with the Office in that field as a means of addressing the needs of vulnerable refugee women and children at the community level and restoring their confidence in the social institutions. UNV believed that the PARinAC process had a role to play in building the capacity of local NGOs and strengthening the local machinery of emergency response and preparedness.

8. In addition to participating in humanitarian relief operations, the United Nations Volunteers could be used to consolidate peace and restore confidence in the communities in question and to support the Office's efforts to promote national reconciliation. In Afghanistan, Cambodia, Laos, Somalia and in particular in the former Yugoslavia the UNV efforts to build peace and settle conflicts had taken various forms. Its specialists and other workers had tried to remove the obstacles to communication and participation, promote civic education, train local leaders in negotiation techniques, and involve the community in reconstruction projects in order to strengthen social cohesion.

9. The international community must urgently provide the necessary human and financial resources to ensure that humanitarian assistance rapidly achieved its goals at minimum cost and that the methods of aid delivery did not aggravate the problems or perpetuate dependence. Recourse to the United Nations Volunteers was a relatively inexpensive solution when measured against the returns. Through their work the Volunteers helped to meet the fundamental needs of millions of marginalized people.

10. Mr. de COURTEN (International Committee of the Red Cross) said that the innumerable victims of war, blind violence and hatred included many internally displaced persons. The magnitude of the phenomenon demanded the immediate adoption of concrete measures. Tragedies such as Rwanda, Liberia or

Afghanistan, which had forced thousands of men and women to abandon their homes, demonstrated the need for effective action to limit such mass exoduses and facilitate the return of displaced persons.

11. As civilians protected by international humanitarian law, displaced persons, whether victims of armed conflicts or other situations of violence, lay in fact at the heart of the mandate of the International Committee of the Red Cross (ICRC). Action to help displaced persons was an integral part of its basic work, equally as important as visits to prisoners, assistance to the war-wounded, relief for civilian populations, family reunification activities, etc.

12. ICRC constantly reminded belligerents that they had an obligation scrupulously to respect international humanitarian law. Such respect would undoubtedly lead to a reduction in the number of displaced persons and thus check the refugee flows. The application of humanitarian law would also help to improve the security of the civilian population and therefore encourage the return of displaced persons and refugees under acceptable conditions.

13. The repatriation of refugees and displaced persons was impossible without a guarantee of security. In that connection attention must be drawn to the devastating effects of landmines, to which refugees and displaced persons were particularly vulnerable. ICRC had repeatedly advocated a total prohibition on the use of antipersonnel mines.

14. Acting alone, the humanitarian organizations could hardly cope with the many problems resulting from such widespread violence. It was therefore necessary, more than ever before, for States to shoulder their responsibilities, in particular with respect to international humanitarian law.

15. The legal protection accorded to victims of armed conflicts extended to all categories of person without distinction, and thus included displaced persons. That gave grounds for doubting the appropriateness of a development of international law which would protect only displaced persons. Was the codification of protection which created different categories of conflict victim truly desirable? Would it not be better to step up the efforts to apply the existing law?

16. The universal nature of humanitarian law must be emphasized. A total of 185 States were parties to the Geneva Convention, 135 States were bound by the first additional protocol and 125 by the second protocol. The international community should therefore give priority to its efforts to secure better application of the existing law.

17. While the parties to a conflict were responsible for applying humanitarian law, humanitarian organizations must in turn consult each other on ways of improving the effectiveness of their field operations. In order to be truly effective, such consultations must deal with the clarification of the respective mandates of the organizations, so that their activities complemented each other, and with the independence of humanitarian action, a condition vital to the ability of the organizations to continue to work for all the victims.

18. ICRC had long advocated neutral and impartial humanitarian action, independent of the political and military activities of States. If effective humanitarian action was to be taken, States must not only create suitable

conditions but also respect a strict division of tasks. Any encroachment of political and military activities into humanitarian action led to confusion. Somalia and the former Yugoslavia had provided examples of the limits and dangers of such a mixture.

19. ICRC wished to emphasize the increasingly important role of NGOs. As a means of enhancing the effectiveness of all humanitarian workers, a code of conduct for disaster-relief organizations had been drawn up by the International Federation of Red Cross and Red Crescent Societies in consultation with various NGOs and with ICRC support. The ethical principles set out in the code should help to preserve the neutral and impartial nature of humanitarian action.

20. Mrs. ERAZO (International Council of Voluntary Agencies) said that the NGO statement which had been distributed to the members of the Executive Committee reflected not only the positions, proposals and recommendations of the members of the International Council of Voluntary Agencies (ICVA) but also those of a large number of NGOs with which it collaborated. She did not wish to review the many questions of substance dealt with in that document but simply to recapitulate the 10 priority points on which ICVA would like the Executive Committee to take a position at the current session.

21. Firstly, the Executive Committee should officially recognize the usefulness of the PARinAC process and undertake to furnish the necessary resources for the implementation of the Oslo Plan of Action. Secondly, in view of the increasing number of violations of the fundamental principles of the protection of and access to victims of conflict, the Executive Committee should reiterate its support for the protection instruments and its readiness to participate in the efforts to fill any gaps therein. Thirdly, the Executive Committee should reaffirm that refugee women and children should be given priority in policy and programming decisions. UNHCR and Governments must see to it that the guiding principles concerning refugee women and the revised guiding principles concerning refugee children were immediately implemented in their entirety. Fourthly, ICVA requested the Executive Committee to encourage the establishment by States of effective machinery of emergency preparedness, within the framework of the United Nations system. Fifthly, the Executive Committee should urge States to refrain from using the concept of "safe country" as a means of evading their obligations under the 1951 Convention and the 1967 Protocol. Sixthly, ICVA requested the Executive Committee to give its express support to the creation of a mechanism to verify that countries were indeed fulfilling their obligations under the Convention and the Protocol. Seventhly, the Committee should give its firm support to the necessary measures for achieving the goals of the international campaign for the prohibition of antipersonnel mines. Eighthly, ICVA invited the Executive Committee to make a closer study, together with the other parts of the international community, of the root causes of refugee flows and migratory movements. Ninthly, ICVA requested the Executive Committee to support the adoption by the General Assembly of an international convention on the safety of United Nations and related personnel participating in high-risk humanitarian or emergency operations. Lastly, ICVA requested the Executive Committee to encourage the establishment in the United Nations system of a coordination centre for internal displacement questions in order to ensure that displaced persons enjoyed effective protection and assistance.

22. In addition to those 10 priority points, the statement contained many other recommendations which she hoped the Executive Committee would be able to take into consideration. She drew its attention to paragraph 7.1 of the statement, in which ICVA requested to be allowed to participate in the work of the Sub-committee on International Protection and the Sub-committee on Administrative and Financial Matters.

23. Ms. MENDS-COLE (United Nations Development Fund for Women) noted with satisfaction that many delegations had mentioned the situation of refugee and displaced women and she expressed the hope that the attention given to that issue indicated a new approach and a desire to pay heed to all groups within assisted populations. If the aim was to address the special needs of women effectively and make full use of their capacities in emergency situations, women must be delinked from the other categories with which they were usually associated, i.e. children, the elderly and the disabled.

24. The evidence was incontrovertible that women faced special problems in emergency situations, in particular in armed conflicts. Rape was common, and the lack of gynaecological care and family planning services increased the incidence of unwanted pregnancies and of sexually transmitted diseases such as AIDS. But women also represented a strength which must be built upon. Despite the terrible difficulties, they continued in emergencies to carry out all the functions necessary to the survival of their families: preparation of food, health care, water supply, etc. The United Nations Development Fund for Women (UNIFEM) believed that the incorporation of gender perspectives in emergency operations could only increase their effectiveness. Women were a critical link and, unless vigorous action was taken to enable them to play an active part in repatriation and resettlement programmes and in the process of national reconciliation and the social reintegration of refugees, such initiatives would fail.

25. UNIFEM had carried out a pilot project in Ghana and Côte d'Ivoire to provide development-oriented assistance to Liberian women refugees. The project took into account the need for an integrated and holistic approach and provided women with health care, including gynaecological care and mental health counselling; they received training in basic skills such as construction, and a revolving fund had been set up to finance other income-generating activities. The aim of the project was to equip women to improve their living conditions while still in exile and to participate later in the rebuilding of Liberia by using the skills acquired.

26. Building on the experience gained in the project, UNIFEM had launched an umbrella programme called "African women in crises". It was designed to help women make their voices heard and join together in networks; it had already produced good results, for example the recent symposium in Kampala on the important role of women in conflict settlement and peacemaking, which had been attended by women from various war-torn countries of the Horn of Africa. Through the programme UNIFEM sought to collaborate with UNHCR and other United Nations organizations, with Governments and with international NGOs to bring gender concerns into the mainstream of refugee and displaced person operations.

27. Mrs. von BUCHWALD (Head of the Refugee and Displaced Persons Department of the International Federation of Red Cross and Red Crescent Societies) said that in 1993 the assistance provided by the International Federation to refugees and

displaced persons had reached 70% of its operations budget of some 400 million Swiss francs. The situation in Rwanda had demonstrated once again how easily a humanitarian tragedy could unfold in a matter of days. With generous donor support, in particular from the European Union, the Federation had coordinated the work of many national Red Cross and Red Crescent societies and had been able to mount a massive relief operation.

28. The Federation was concerned about the regional dimension of the Rwanda conflict and the sustainability of the present relief effort. The provision of humanitarian assistance must continue but must also become better adapted to the needs and the reality. The assistance provided inside Rwanda at present was far from adequate, and it was unacceptable that pressure should be put on refugees living in camps in neighbouring countries to prevent them from returning home. In contrast, the repatriation of refugees had accelerated in Mozambique and Myanmar, and the Federation hoped shortly to establish with UNHCR a programme of assistance to the most vulnerable refugees returning to Myanmar.

29. Protection was the core mandate of UNHCR. The high death toll of recent upheavals testified to the urgent need to ensure effective use of existing legal instruments both in the countries of origin and in the countries of asylum. The role of grassroots humanitarian organizations and their campaigns on the ground deserved more attention.

30. The Federation's secretariat and more than 40 of its member national societies had been represented at the PARinAC conference in Oslo in the summer. Like ICRC and some of the 162 national Red Cross and Red Crescent societies, the Federation was looking into ways of cooperating in PARinAC.

31. The international response to refugee crises was becoming increasingly complex, and the Federation and many of the leading NGOs had felt the need to have a clear statement of the standards of ethics and behaviour which should govern the provision of relief and services to refugees and other disaster victims. Such a statement already existed in the code of conduct for the international Red Cross and Red Crescent movement and NGOs in disaster relief. The code was sponsored by Caritas Internationalis, Catholic Relief Services, the Save the Children Alliance International, the Lutheran World Federation, Oxfam, the World Council of Churches and ICRC. It set out 10 fundamental principles of conduct for relief workers and described the environment which should be created by the Governments and intergovernmental organizations to make relief work more effective. It had been taken by several other organizations as the basis for improving their working relationships with NGOs and had been mentioned in documents of the Department of Humanitarian Affairs and UNICEF.

32. One of the points highlighted in the code was the need to reinforce local organizations in relief operations and preparedness. In that connection the Federation encouraged humanitarian organizations which had local outreach to look seriously at the investments necessary to equip the Federation with the capacities to deal with continuing and new refugee crises.

33. A number of delegations had referred to the need to streamline emergency assistance through the provision of self-contained specialized units which could be mobilized and placed at the disposal of UNHCR at short notice. Together with key national societies the Federation was planning standby arrangements for the provision of specialized modules for deployment in disasters and emergencies.

34. Mr. HUSSEINI (Islamic Republic of Iran), speaking in exercise of the right of reply following the statement made by the Iraqi delegation on the subject of the Iraqi refugees in Iran and the Iranian nationals living in Iraq, said that the Islamic Republic of Iran would welcome negotiations with the Government of Iraq about the problems of the Iranian and Iraqi refugees in the two countries, and that all the Iranian citizens who had left Iran during the war were free to return home, as 60,000 of their fellow citizens had done over the past two years, that Iran was ready to exchange delegations of experts to examine the problem in the two countries, and that the operation for the resettlement in Iran of some of the Iraqis who had taken refuge in Saudi Arabia had taken place at the request of the persons concerned, under UNHCR supervision and in accordance with the 1951 Convention.

35. The CHAIRMAN, summing up the work of the Executive Committee under agenda item 4, said that 77 delegations had spoken in what had been a stimulating discussion. In a year marked by the crisis in Rwanda and the massive refugee exodus which it had provoked, it was hardly surprising that many speakers had dwelt on the subject of emergency response. The question had also been posed as to whether UNHCR had reached the limits of its capacity. In fact, 10 themes had emerged from the debate.

36. First, there had been much discussion of innovative approaches in emergency responses to cope with the massive exodus from Rwanda. In particular, the concept of "service packages", whereby Governments had taken on the responsibility for different sectors of the operation, had received considerable attention. A number of delegations had underlined the need to use the lessons of the Rwanda emergency to improve the response capacity and relieve strains before the next crisis struck.

37. The importance of inter-agency cooperation had been a second major theme. Attention had been drawn to the need to develop standby arrangements with a larger number of collaborators so as to be able to respond rapidly at the onset of any emergency. Equal stress had been placed on the need to link relief to development. At the same time it would be necessary to improve the response capacity of other agencies, in addition to UNHCR, so that they would be able to address effectively such problems as clearance of landmines, demobilization, and the resettlement of displaced persons. Tributes had been paid to the close working relationship developed between UNHCR and WFP, but greater coordination with a wide range of other agencies was required in order to enhance the emergency response capacity and achieve a continuum from relief to development. In order to meet rehabilitation needs, it was thought that it would be particularly useful to involve the Bretton Woods institutions. In order to bridge the gaps and correct the imbalances in the United Nations system as a whole, one delegation had suggested the convening of a joint informal meeting of the governing bodies of WFP, UNICEF, UNDP and UNHCR during the session of the Economic and Social Council in July 1995. Several delegations had stressed the need to strengthen the roles of the Inter-Agency Standing Committee and its Working Group.

38. Thirdly, many delegations had welcomed the efforts made by UNHCR to increase it collaboration with NGOs. PARinAC was seen to have played a positive role in that connection, but it was important to ensure practical implementation of its recommendations.

39. Fourthly, humanitarian action must be supplemented by comprehensive regional approaches, in particular in the former Soviet Union. In that context the achievements of CIREFCA in Central America had been welcomed, and a number of delegations had stressed the need to strengthen the OAU prevention and response capacity.

40. A fifth theme widely discussed had been the protection of refugees and in particular of their temporary protection in armed conflicts. Some delegations had advocated a pragmatic case-by-case approach, while others had seen the need to draw up a set of non-binding guiding principles. Several delegations had expressed the view that temporary protection might lead to a lowering of the standards of protection in general. However, the importance of the 1951 Convention as the cornerstone of international protection had been stressed.

41. Sixthly, a number of delegations had argued that internally displaced persons often had just as urgent a need for protection and assistance as refugees. The involvement of UNHCR with such persons on a case-by-case basis at the request of the Secretary-General had been broadly welcomed.

42. Seventhly, much attention had been given to the needs of refugee women and children and to the importance of improved implementation of the UNHCR guidelines, as well as to the need for better protection of refugee women against sexual violence and for food distribution to be conducted through them.

43. An eighth theme was that voluntary repatriation remained the best solution to the refugee problem. Attention had been drawn to the need to monitor the situation of returnees more closely and to deploy human rights monitors to keep watch on the situation of voluntary returnees once a conflict had ended. He welcomed the forthcoming signature of a Memorandum of Understanding between UNHCR and the High Commissioner for Human Rights on the establishment of a framework for cooperation both in preventive action and in emergency situations.

44. The ninth theme had been the heavy burden placed on asylum countries by the massive presence of refugees. Neglect of the local people could lead in fact to tensions and a breakdown of tolerance. Particular emphasis had been placed on the environmental damage caused by large concentrations of refugees. A number of host countries had made urgent appeals in that respect.

45. Lastly, with regard to administrative matters many delegations had welcomed the High Commissioner's efforts to strengthen her management tools, notably by establishing an enhanced inspection and evaluation capacity. On the UNHCR budgets, several delegations had expressed their discomfort with a situation in which the Executive Committee approved only the general programmes, which today represented merely a third of the total budget. It was thought that the Sub-committee on Administrative and Financial Matters should review the relationship between the general and special programmes with a view to a more rational arrangement. A number of delegations had asked UNHCR to put forward proposals in that respect.

PROGRAMMES, ADMINISTRATION AND FINANCE (agenda item 5)

(a) REVIEW OF UNHCR PROGRAMMES FINANCED BY VOLUNTARY FUNDS IN 1993-1994 AND OF THE PROPOSED PROGRAMMES AND BUDGETS FOR 1995

(b) STATE OF CONTRIBUTIONS AND OVERALL FINANCIAL REQUIREMENTS FOR 1994 AND 1995

(c) ADMINISTRATION AND MANAGEMENT

(d) ADOPTION OF THE 1995 GENERAL PROGRAMMES (A/AC.96/824, A/AC.96/825 (Parts I to IV), A/AC.96/828, A/AC.96/829, A/AC.96/833 and Add.1, A/AC.96/834, A/AC.96/838, EC/1994/SC.2/CRP.25 and EC/1994/SC.2/CRP.26)

46. Mr. WALZER (Deputy High Commissioner) said that any consideration of agenda item 5, which concerned mainly administration and finance, must focus on the adoption of the report of the Sub-committee on Administrative and Financial Matters and of the general programmes and budget for 1995. The question of the relationship between general and special programmes, i.e. whether to maintain a distinction between the two categories of programme, and the related question of the current financial machinery would be the topics of a detailed debate at a future intercessional meeting of the Sub-committee. In that connection, the machinery for funding emergency responses should be retained and, if possible, strengthened. It was reassuring that member States addressed all financial and budgetary matters without any preconceived ideas.

47. In paragraphs 270 to 273 of document A/AC.96/824 the Sub-committee proposed that the Executive Committee should approve the revised appropriation under the general programmes for 1994, which remained at $US 418,523,000, and the appropriation requested under general programmes for 1995 amounting to $US 415,413,000 (see the eighth column in annex I of the document). The amount of about $US 1.1 billion mentioned in the forecasts for all the general and special programmes for 1995 had been calculated on the basis of known needs and would be revised later in the light of developments in the refugee problem and any measures which needed to be taken to comply with the order of priorities which the Executive Committee would have established. The Sub-committee's report reflected the conclusions of the exchanges of views on the administration of assistance, management and related issues.

48. He drew attention to other matters having considerable implications for UNHCR programmes. The Sub-committee had considered at length the establishment of an inspection and evaluation service and had come out in favour of the move. Such a service would provide the High Commissioner with a particularly suitable instrument for monitoring the UNHCR field operations in particular and making any changes needed in programmes in order to enhance their effectiveness. If the service was established, UNHCR would keep the Executive Committee regularly informed about its activities and its relations with the Office's other internal monitoring machinery and with the internal oversight service recently created in the United Nations.

49. The question of the safety of UNHCR staff was also very important. The High Commissioner had noted with satisfaction the responses of some delegations

to her stated concerns in that area and the support which they had shown for the draft international convention on the safety of United Nations and related personnel.

50. The Sub-committee had also examined closely the question of UNHCR collaboration with its partners. The PARinAC initiative illustrated the importance which the Office attached to such collaboration, in particular with NGOs. The process should be monitored very closely. The Sub-committee had also taken action to follow up the recommendations contained in the report of the Board of Auditors. The Executive Committee would be kept informed about the progress made in that regard.

51. As the Sub-committee indicated in its report, the humanitarian response in Rwanda had provided an opportunity for using innovative approaches, forging new relationships and taking up new challenges. UNHCR welcomed and gave its unreserved support to the proposals made in the Executive Committee about the need to study the lessons of that experience. That would make a useful contribution to the consideration of the matters which the Sub-committee had highlighted. In conclusion he wished to thank both the asylum countries and the donor countries for their generosity, and indeed the implementing partners.

52. The CHAIRMAN said that, unless he heard any objections, he would take it that the Executive Committee adopted the report of the Sub-committee on Administrative and Financial Matters contained in document A/AC.96/838.

53. It was so decided.

54. Mr. MACRIS (Observer for Cyprus) said that his delegation supported the High Commissioner's idea of launching an agenda for humanitarian action to complement an Agenda for Peace and an Agenda for Development. Cyprus was one of the countries where UNHCR had been involved for a long time. On 20 August 1974 the Secretary-General had commissioned UNHCR to coordinate humanitarian assistance to Cyprus following the Turkish invasion and occupation of 37% of the island's territory, which had resulted in the displacement of 265,000 people. The UNHCR programme in Cyprus was at present financed by an annual grant of $US 10 million generously made by the Government of the United States, to which the Government and people of Cyprus were profoundly grateful. In 1974 the programme had been designed to help the displaced persons and alleviate their sufferings. In 1993 it had included projects concerning the two communities in Cyprus with a view to encouraging cooperation between them.

55. Despite the many problems caused by the displacement of a third of its population, Cyprus was assisting refugees from third countries and persons covered by the UNHCR mandate under the various relevant international instruments. It had unfailingly discharged its humanitarian obligations towards refugees from the war-torn countries of the Middle East, in close collaboration with UNHCR. It had also responded favourably to the Office's appeals to States for voluntary contributions.

56. There were currently more than 20 million refugees in the world and an even larger number of displaced persons. Displacement, wherever it occurred, had an impact on both domestic and international relations, as well as being a source of instability and a threat to security. The numbers of refugees and displaced persons could only increase unless urgent measures were taken to put

an end to the violations of human rights and in particular to the practices which had rightly been condemned by the international community. The right of everyone to voluntary repatriation in safety and dignity and the right to remain in peace in his or her home must be reaffirmed and effectively guaranteed. The double standards applied to different perpetrators of human rights violations for reasons of geopolitical expediency were unacceptable.

57. The Cypriot delegation wished in conclusion to pay a tribute to the High Commissioner and her dedicated staff and in particular to the field workers who had lost or were risking their lives every day in the performance of their duties. It also wished to thank the head of the Regional Bureau for South-West Asia, North Africa and the Middle East and the UNHCR staff involved in activities related to Cyprus. UNHCR could count on Cyprus's cooperation in its work.

58. Mr. MAJDI (Morocco) said that his delegation had repeatedly emphasized the importance of improving the systems and procedures for evaluation of UNHCR programmes in order to verify the effectiveness and profitability of the activities designed to make refugees self-sufficient. Once again the Moroccan delegation rejected the figure of 165,000 so-called "Saharan" refugees mentioned in part V.3 of document A/AC.96/825. According to the very detailed estimates of the United Nations Mission for the Referendum in Western Sahara (MINURSO), the number of such refugees, including children, did not exceed 65,000. According to reliable, neutral and impartial sources, the figure might be even lower. The Moroccan delegation noted that the figure of 165,000 had never been endorsed by UNHCR and could not therefore be used as the basis for assessment of the needs.

59. Furthermore, paragraph 13 of the same document stated that delays in despatch of assistance remained one of the main problems and that the planned implementation of programmes in various sectors suffered as a result. The Moroccan delegation would like the representatives of UNHCR to offer some explanation on that matter, especially since according to the information given by the Saharans who continued to flood into Morocco, the people held in the camps in question were living in deplorable conditions, and that included the humanitarian situation.

60. Mr. MARTINEZ (Spain) said that the process resulting from the International Conference on Central American Refugees (CIREFCA) ought to serve as a model and as the basis for discussion of how to cope with other crises in the world. Spain supported all the comments made on that point in document A/AC.96/831 submitted by the High Commissioner. The CIREFCA process was based on a number of complementary and interdependent elements. The just and lasting settlement of the problem of refugees and displaced persons was fundamental. It involved the gradual reintegration of the persons concerned in the economic and social life of their countries and the restoration of peace and national reconciliation, and it was impossible unless the conditions for the resumption of economic and social development were met and respect for human rights guaranteed.

61. The part played by the Governments of the Central American countries in the resolution of the crises confronting them was one of the main reasons for the success of the CIREFCA process, in which UNHCR had also acted as a driving force. The efforts to integrate women in general and indigenous women in

particular had been another important factor. In the next phase the lessons of the experience gained and the results achieved would have to be put to use in the start-up of concrete actions in individual countries and priority areas.

62. However, the successes must not cause anyone to forget that difficulties and problems remained, especially in Guatemala, and that the Executive Committee must take them into account in the decisions adopted at the present session. The agreement concluded in June 1994 for the reintegration of uprooted persons would help to strengthen the peace and democracy to which CIREFCA had contributed. The deployment of the United Nations human rights verification mission in Guatemala would also mark a positive step along that road.

63. Both in Central America and in other crisis-torn regions emphasis must be given to the following key factors: fight against poverty, integration of uprooted people, strengthening of structures based on participation, creation of self-financing production structures, support for NGOs as leading partners, determination of the zones requiring priority action, strengthening of municipal structures, integrated rural development and promotion of the cooperative movement, use of quick impact projects, and provision of technical assistance for censuses, documentation and elections and in legal and institutional matters.

64. Recalling what the representative of UNDP had said, he observed that the conclusion of the CIREFCA process must not prevent the continuation of the collaboration within new parameters and with the support of the donor community, NGOs and United Nations agencies and programmes in their respective spheres of competence.

65. In accordance with the usual practice, the Chairman invited the Chairman of the UNHCR Staff Council to address the Executive Committee.

66. Mr. ISHAK (Chairman of the UNHCR Staff Council) thanked the Chairman for having invited the participants to observe a minute of silence at the opening meeting of the present session in tribute to the memory of the UNHCR staff and other humanitarian workers who had given their lives in the line of duty since the previous session. It was to be hoped that a similar expression of sympathy would not be necessary at future sessions of the Executive Committee; the Staff Council urged Governments to do everything possible to ensure the safety of United Nations personnel. When UNHCR sent staff to areas where government control was inadequate or non-existent, it was incumbent both on the United Nations and on the UNHCR management to take all necessary and reasonable measures to keep the staff safe from harm. The future international convention on the safety of United Nations and related personnel, currently under consideration by the General Assembly, should apply to UNHCR staff as well as to the so-called "agency staff" which UNHCR deployed in many of its operations.

67. In April a UNHCR staff member had been shot dead while alighting from a helicopter near a refugee camp in western Somalia; a few days later, a message had been received from other UNHCR staff members trapped by shellfire in the UNHCR office in the Bosnian town of Gorazde. Angered by the situation, the UNHCR management and Staff Council had jointly decided to organize a silent demonstration to condemn the political indifference towards the killing of humanitarian workers and the attacks of which they were the target. The entire headquarters staff had taken to the street to protest against the apathy of

political leaders and to express its anger at similar acts committed against innocent civilians in many parts of the world. That unprecedented demonstration had been spontaneously supported by almost all the other international and humanitarian institutions in Geneva. Although away from headquarters, the High Commissioner had supported the initiative, as had the Secretary-General of the United Nations. At the same time UNHCR staff in all its offices throughout the world had organized symbolic silent protests and had sent the same message to political leaders in their duty countries. Many Government representatives had also joined the UNHCR staff in the street and participated in the demonstration, thus turning the event into a unique expression of solidarity.

68. Attention must be drawn to another example of the unmatched dedication of UNHCR staff. When it had finally been decided to send peace-keepers to Rwanda, hundreds of staff members had fearlessly responded and volunteered to serve in the emergency operations in that country. But since it had not been possible for everyone to go, in response to an appeal by the Staff Council staff members had donated one day's salary to alleviate the misery of the Rwandese refugees. The Staff Council had decided to pass the approximately 150,000 Swiss francs collected to UNHCR to finance assistance for Rwandese refugee children who had lost their families. An innovative project had been designed for that purpose: one or several community centres would be established in Goma to help to integrate the children into the community using a family-based approach. The project would serve as a model for various NGOs and other humanitarian agencies and would stand as a symbol of the solidarity of UNHCR staff and its exemplary devotion to the cause of refugees.

69. Much progress had been made on staff issues under the new leadership of the Division of Human Resources Management. For example, the Joint Advisory Committee had completed a comprehensive review of the policies and procedures for the appointment, posting and promotion of staff in both Professional and General Service categories. The High Commissioner had promulgated new regulations, under which nearly 400 staff members had been promoted and several hundred had been offered longer-term or indefinite appointments or had been reclassified from category L (project personnel) to category P (Professional).

70. On the recommendation of the Joint Advisory Committee the High Commissioner had decided that from 1995 the authority to appoint and promote local staff would be delegated to the field offices. Decisions of that kind had in the past been taken by the High Commissioner on the basis of the recommendations of a joint staff/management committee based at headquarters; in a field-oriented organization with more than 60% of its staff recruited locally, such procedures were inefficient.

71. The Director of the Division of Human Resources Management had also recently delegated to the field offices the administration of reimbursement claims under medical insurance, a measure which addressed a long-standing problem faced by all field staff, who up till now had suffered significant financial losses as a result of exchange-rate variations between the time when the medical expenditure was made and its reimbursement.

72. Another tangible achievement had been the launching of the UNHCR career management service, which was the result of the efforts made over three or four years to enhance the effectiveness of UNHCR in the discharge of its mandate while ensuring that staff at all levels had opportunities for satisfying and

rewarding careers. By enabling the Office to equip itself with a versatile, mobile and innovative staff the new system would provide it with the means to enhance the effectiveness of the services for refugees. The career management service was based on a recognition that people were the critical element in the success of UNHCR and that key personnel policies, such as performance appraisal, should facilitate the development of the staff's potential.

73. Staff members were currently involved in the most burning humanitarian problems and were serving refugees under circumstances from which they would once have been evacuated. Day-to-day developments tended to impose changes and require immediate and innovative action by UNHCR and, most importantly, by the staff on the ground. In such circumstances it was understandably difficult to stand back, reflect, analyze and identify the options; the staff had thus been pleased to hear the High Commissioner emphasize in her statement the need both for a "think-tank" or a policy planning function and for monitoring of the quality of management. The aim must be to strengthen further the policy formulation process and effectively link UNHCR action to the global strategy for international peace and security and economic and social development. The staff stood ready to make its contribution to that deliberative process, and it was the duty of the democratically elected staff representatives to express staff members' views not only on the conditions of service but also on management initiatives which might directly or indirectly affect them, regardless of whether such views coincided with those of the management. In the past the input and opinions of the staff had proven to be of great importance, particularly when major changes and restructuring were necessary.

74. In that spirit he wished to share with the Executive Committee some of the thoughts of the Staff Council. The Council had questioned whether the present personnel structure, which dated back to the time when UNHCR had been a small organization with a limited mandate, enabled the Office to respond fully and effectively to the mammoth challenges of today. It now had a record number of 4,800 staff and an annual budget of well over a billion dollars. In comparison with other United Nations and international bodies, which were much less field-oriented, it could readily be seen that UNHCR field posts were seriously under-graded. Reclassification of all posts under a properly conducted procedure therefore seemed an urgent necessity.

75. Turning back to the Rwanda crisis, he said that UNHCR and the whole world could draw several useful lessons and raise a number of questions. From the staff perspective, the main issues which must be systematically addressed at the stage of laying out an emergency response plan were staff security, reliable means of communication, methods of mobilisation of staffing resources, and arrangements to facilitate staff counselling and representation. UNHCR could take the lead in determining the necessary strategies, at least as far as improvement of field service conditions was concerned. The Staff Council recognized that the Executive Committee had consistently supported the Office's efforts to achieve that objective. On the question of telecommunications it was important that no staff member should be sent to the field without any reliable means of communication, for both professional and security reasons. The concerns stated by the Advisory Committee on Administrative and Budgetary Questions (ACABQ) concerning the UNHCR initiative to establish a satellite network, which had been raised at the session of the Sub-committee on

Administrative and Financial Matters, were therefore surprising. The Staff Council hoped that everything possible would be done to meet those concerns and that the project would be implemented without delay.

76. At the same meeting of the Sub-committee one delegation had commented on the staffing of emergency operations, saying amongst other things that it did not make sense to take secretaries from Geneva to far-off emergency locations. The point was a very valid one, and it should be added that other human resources required in emergencies, such as doctors, nurses, water specialists, etc., were sometimes available in the countries where the refugees were located. The international community should be innovative and develop regional emergency response capacities, for example in areas where ethnic tensions were seething. UNHCR, for its part, might reflect on how best to use such capacities and improve the geographical balance of its core staff, taking into consideration the operational needs, particularly the need for women staff.

77. There were other issues which would have to be taken up in the management/staff consultations, including the establishment of the new inspection and evaluation service and the powers of the mediator's office. The establishment of an adequate staff counselling service and the status of staff counsellors were other important matters which would have to be considered in the near future. On the question of the relocation of UNHCR headquarters, which had been deferred for the third time at least, the management had taken a number of decisions without consultation or without adequate study of their implications for staff welfare and performance. The Joint Advisory Committee would have to take up some aspects of that question.

78. The CHAIRMAN invited the Deputy High Commissioner to respond to the questions raised under agenda item 5.

79. Mr. WALZER (Deputy High Commissioner) said in answer to the question raised by the Moroccan delegation that the statistics on the number of refugees which appeared in the documents were based on information provided by Governments and that assistance was furnished only to persons in need, once the exact needs had been established. Delays in implementation had mainly logistical causes; programme implementation was permanently monitored by the Governments of the host countries, UNHCR staff and the other actors involved, and changes were made in the light of the actual implementation rate. Any additional information needed could be given in private talks between UNHCR and Morocco.

80. Turning to the statement by the representative of Spain, he said that the Office wished to thank Spain for the assistance which it had already given in the CIREFCA process, which was to be completed by the end of the year. UNHCR was perfectly ready to continue to collaborate with the other competent United Nations agencies in order to ensure the success of the post-CIREFCA period. As for Guatemala, the Office would continue to work in concert with the authorities to ensure that the repatriation operations and assistance programmes for the returnees enjoyed similar attention during the coming period.

81. The CHAIRMAN invited the Executive Committee to adopt the proposals concerning programmes, administration and finance contained in paragraphs 270 to 273 of document A/AC.96/824. If there was no objection, he would take it that the Executive Committee adopted the proposals.

It was so decided.

The meeting rose at 12.45 p.m.

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EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-fifth session

SUMMARY RECORD OF THE 496th MEETING

Held at the Palais des Nations, Geneva,
on Friday, 7 October 1994, at 10 a.m.

Chairman: Mr. LARSEN (Denmark)

later: Mr. KAMAL (Pakistan)

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GE.94-04046 (95-95307/EXT)

The meeting was called to order at 10.50 a.m.

PARTICIPATION OF GOVERNMENT OBSERVER DELEGATIONS (agenda item 6) (A/AC.96/XLV/CRP.2)

1. The CHAIRMAN said that, in accordance with a decision taken by the Executive Committee in 1988, meetings of the Sub-committees and informal meetings of the Executive Committee were open to participation by government observer delegations which made formal applications for consideration by the Executive Committee. Document A/AC.96/XLV/CRP.2 contained the list of observer Governments which had made such applications for 1995. In addition, applications had been received from the Governments of Armenia, Ireland, Slovenia, Zimbabwe, Bangladesh and Cyprus. If there was no objection, he would take it that the Executive Committee approved those applications.

2. It was so decided.

CONSIDERATION OF THE PROVISIONAL AGENDA OF THE FORTY-SIXTH SESSION OF THE EXECUTIVE COMMITTEE (agenda item 7) (A/AC.96/XLV/CRP.1)

3. The CHAIRMAN said that, if there was no objection, he would take it that the Executive Committee adopted the provisional agenda of its forty-sixth session (A/AC.96/XLV/CRP.1).

4. The provisional agenda (A/AC.96/XLV/CRP.1) was adopted.

ADOPTION OF THE DRAFT REPORT OF THE FORTY-FIFTH SESSION (agenda item 9) (A/AC.96/XLV/CRP.3)

The meeting was suspended at 11.05 a.m. and resumed at 11.55 a.m.

5. Mr. Kamal (Pakistan) took the Chair.

6. Mr. MANGACHI (United Republic of Tanzania, Rapporteur) introduced the draft report on the forty-fifth session of the Executive Committee (A/AC.96/XLV/CRP.3) and said that a number of changes had to be made in the text. The first two were substantive changes to paragraphs (r) and (s) of the general conclusion on international protection (chap. III. A.1, para. 19).

7. The last part of paragraph (r) should be changed to read as follows:

> "...as a pragmatic and flexible method of affording international protection of a temporary nature in situations of conflict or persecution involving large-scale outflows;".

8. The words "including the duration of temporary protection" should be added at the end of paragraph (s).

9. Two editorial changes should be made to the text of the conclusion on the Comprehensive Plan of Action for Indo-Chinese Refugees (chap. II. D.3, para. 31).

10. The fifth preambular paragraph of the conclusion should be amended to read:

"Noting with gratitude the work done by all the Governments concerned and the competent intergovernmental and non-governmental organizations during the past year,".

11. The term "non-refugees" should be deleted from the second-last line of operative paragraph (d) of the conclusion.

12. The draft report of the forty-fifth session (A/AC.96/XLV/CRP.3), as amended, was adopted.

OTHER MATTERS (agenda item 8)

13. Mr. NORBERG (Sweden), speaking on behalf of Denmark, Finland, Norway and Sweden, said that for the Nordic countries improvement of the functioning of the United Nations must be designed above all to enable Member States to perform their governance functions better and guarantee secure and predictable financial support for the United Nations and therefore for UNHCR at a level commensurate with their responsibilities.

14. In view of the large number of matters which the Executive Committee would have to take up over the coming months, it was important for the Bureau and all the members of the Committee to make a joint effort to plan the work as efficiently as possible and to establish an order of priorities. The considerable amount of work done by the Sub-committees over the past year had led to significant advances in the consideration of various broad policy issues, such as the problems which arose in countries of origin and internally displaced persons. Such progress would not have been possible if an attempt had been made to deal with all those issues during the session of the Executive Committee. The value of the Sub-committees was therefore evident, and active use should be made of them.

15. But the Executive Committee must seek to improve further its methods of work as it provided UNHCR with its very valuable guidance. The Member States which requested the Office to use resources efficiently must themselves use costly committee time efficiently. The process of formulating decisions and conclusions, for example, was a cumbersome one, and more of it should be taken over by the Sub-committees. The Nordic delegations therefore welcomed the idea of holding consultations and a preparatory meeting during the next two months to establish the priority issues which the Sub-committees should take up and to review the Executive Committee's methods of work.

16. With regard to improving the funding and finances of UNHCR, the delegations of the United Kingdom, Canada and the Nordic countries, together with other delegations, had submitted to the General Assembly, which was reviewing the financial systems of United Nations funds and programmes, proposals for a revision of financial planning to place UNHCR on a more secure and predictable funding base.

17. The proportion of UNHCR expenditure under the regular budget of the United Nations was declining and the proportion of special programmes, which now accounted for almost 70% of the total budget, was increasing to the detriment of the general programmes. In other words, more and more activities were being undertaken with increasingly less predictable funding.

18. The Nordic countries would participate in such a review in conjunction with the other donors and UNHCR; within the framework of the review attention should also be given to the relationship between the general and special programmes.

19. Mrs. SAV (Turkey) said that in order not to hold up the work of the Executive Committee she would refrain for the moment from exercising her right of reply to what had been said at the previous meeting by the delegation of the Greek Administration of Cyprus, but she would submit a reply later in writing.

20. Mrs. MARKIDES (Observer for Cyprus) said that Cyprus was a country recognized by the international community and that the Cypriot delegation at the session of the Executive Committee represented the Government of the Republic of Cyprus and not the Greek Administration of Cyprus as the representative of Turkey had dared to put it.

CLOSURE OF THE SESSION (agenda item 10)

21. Mrs. OGATA (United Nations High Commissioner for Refugees) thanked the Chairman for the skilful way in which he had conducted the work and all the participants for their thought-provoking statements, which had made the Executive Committee session an extremely constructive one. She deeply appreciated the warm tributes which delegations had paid to her and her staff. The dedication and diligence of the UNHCR staff, many of whom were working in some of the most distant and dangerous parts of the world, were the organization's strength, and everything must be done to ensure their safety and well-being.

22. The way in which refugee problems were handled had a direct impact on international stability, security and economic progress. It was encouraging to note that the members of the Committee supported a comprehensive and concerted strategy of prevention, preparedness and solutions. Many delegations had also rightly identified the new window of opportunity offered by regional approaches, which would be explored further in the coming months.

23. However, given the limits of prevention and the fragility of solutions, UNHCR must remain ever ready to protect the uprooted. Humanitarian assistance was not only about relief; it was first and foremost about protecting the human rights and well-being of the victims. As the need for protection grew, the bridging of the gaps in existing instruments, institutions and practices was becoming a major concern, whether for refugees, returnees, internally displaced persons or stateless persons. There must be a continuing effort to study new tools of temporary protection without undermining existing principles, to continue to seek ways of addressing the protection needs of returnees and, in cooperation with all the actors in the field of human rights and humanitarian action, to ensure that the protection of the internally displaced was not overlooked. She hoped that during the coming year it would be possible to give more thought to the plight of the stateless, perhaps at the intercessional meeting of the Sub-committee on International Protection.

24. She had noted the positive comments on the concept of "service packages" as a useful emergency response mechanism. UNHCR would seek to refine the concept in the light of the lessons learned in the Rwanda emergency. She intended to appoint a senior staff member to follow up as a matter of priority

the initiatives already launched to enhance the Office's capacity and expand its partnerships. UNHCR would also continue to upgrade its existing programmes and procedures. The improvement of the situation of refugee women and children would remain a priority concern.

25. For several years UNHCR had been endeavouring to expand its partnerships. In support of that effort the Committee had again underscored the need for the international system to better coordinate and dovetail its efforts to meet the needs of the victims and to promote solutions, particularly by linking relief to rehabilitation and development. With regard to prevention, preparedness and solutions UNHCR was fully aware that it must work closely with all the other actors - international and regional, governmental, intergovernmental and non-governmental. Some progress had been made, but much more needed to be done to fill the gaps while still avoiding overlapping and to address the imbalances while enhancing complementarity. The convening of a joint informal meeting of the governing bodies of WFP, UNICEF, UNDP and UNHCR was an interesting proposal; given the diversity and size of the governing bodies, such a meeting would need careful preparation.

26. The ultimate test of effective cooperation and coordination was the speed and quality of the response in the field. While always striving to do better, it was important to recognize that the various partners, whether they belonged to the United Nations system or not, had already established cooperation and coordination in the field and that their effectiveness was best promoted by a clear division of labour based on competence and capacity.

27. She was acutely conscious of the increasing demands made on UNHCR, which stretched its capacity to respond as well as its ability to innovate. She had noted the unease about the imbalance between the general and special programmes which was being exacerbated by the increasing number of emergencies and large-scale repatriation operations. She fully supported the envisaged discussion at one of the forthcoming meetings of the Sub-committee on Financial and Administrative Matters which, it was to be hoped, would help to provide UNHCR with a more secure financial base for the years to come.

28. She was very grateful for the financial contributions announced by Governments during the session, which amounted to almost $US 119 million and she thanked the asylum countries for their contributions, which could not be so easily quantified. The environmental damage and socio-economic strains caused by the presence of large numbers of refugees in the asylum countries was only part of the toll which they were forced to pay for their generous hospitality and solidarity. She urged the international community to address those issues more consistently in the context of rehabilitation and development.

29. She had listened with great interest to the statements by delegations, which reflected the richness and diversity of the Committee's membership. The Committee was in fact the gathering place for countries from the four corners of the planet, countries dealing with all aspects of the refugee problem, countries of origin, countries of asylum and donor countries, as well as international and non-governmental organizations. The value of the international forum provided by the Committee lay in the opportunities for dialogue which it offered; the special nature of the Committee must be preserved as the search for ways of improving its functioning continued.

30. The session of the Executive Committee was about to end, but its work in the service of refugees continued around the globe. It was gratifying and reassuring to know that in its difficult work UNHCR enjoyed the confidence of Governments and the cooperation of international and non-governmental organizations. The Committee's encouragement and guidance were particularly valuable to UNHCR at a time when humanitarian action had become a critical element in the efforts of the international community to promote peace, security and development.

31. The CHAIRMAN thanked all the participants, for through their spirit of conciliation they had enabled the Executive Committee to work in a constructive manner. The programme for the next 12 months was a heavy one, but the various meetings which the Sub-committees would have to hold would provide an opportunity to continue a fruitful dialogue. He declared the forty-fifth session of the Executive Committee closed.

The meeting rose at 12.30 p.m.

UNITED
NATIONS

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General Assembly

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A/AC.96/SR.497
23 January 1995

Original: ENGLISH

EXECUTIVE COMMITTEE OF THE HIGH COMMISSIONER'S PROGRAMME

Forty-fifth session (resumed)

SUMMARY RECORD OF THE 497th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 17 January 1995, at 11 a.m.

Chairman: Mr. LARSEN (Denmark)

CONTENTS

Approval of decisions by the Subcommittee on Administrative and Financial Matters relating to the General Programmes Target for 1995

Application by a Government observer delegation to participate in the work of the Subcommittee and informal sessions of the Executive Committee

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the meetings of the Committee at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.95-00152 (E)

The meeting was called to order at 11 a.m.

ADOPTION OF THE AGENDA (A/AC.96/840)

1. The provisional agenda (A/AC.96/840) was adopted.

APPROVAL OF DECISIONS BY THE SUBCOMMITTEE ON ADMINISTRATIVE AND FINANCIAL MATTERS RELATING TO THE GENERAL PROGRAMMES TARGET FOR 1995 (agenda item 1) (EC/1995/SC.2/CRP.6)

2. The CHAIRMAN said that, at its meeting on the previous day, the Subcommittee on Administrative and Financial Matters had considered document EC/1995/SC.2/CRP.6, which contained overall programme and funding projections for 1994 and 1995 and the revised 1995 general programmes target. As a result of changes in the refugee situation and the decline in the value of the United States dollar, it had become necessary to revise the target contained in that document. Accordingly, the Subcommittee had prepared the following draft decision:

"Draft decision on the 1995 General Programmes Target

The Executive Committee,

Having reviewed the information contained in the Overall Programme and Funding Projections for 1994 and 1995 and Revised 1995 General Programmes Target (EC/SC.2/1995/CRP.6),

Having taken note of the oral report on the work of the Subcommittee on Administrative and Financial Matters at its meeting on 16 January 1995,

Noting the increased requirements in a number of refugee situations, largely in Africa and the Middle East,

Recalling the need for UNHCR to respond to these situations in an expeditious and well-programmed manner,

Approves an increase in the 1995 General Programmes Target from $415,413,000, as approved by the forty-fifth session of the Executive Committee in October 1994, to a revised level of $428,732,500.

Notes that revised proposed estimates for 1995 under both General and Special Programmes amount to some $1,272,487,300."

3. The CHAIRMAN said that, if he heard no objection, he would take it that the Executive Committee approved the draft decision.

4. It was so decided.

APPLICATION BY A GOVERNMENT OBSERVER DELEGATION TO PARTICIPATE IN THE WORK OF THE SUBCOMMITTEE AND INFORMAL SESSIONS OF THE EXECUTIVE COMMITTEE (agenda item 2) (A/AC.96/XLV/CRP.4)

5. The CHAIRMAN recalled that, in accordance with a decision taken by the Executive Committee in 1988, meetings of the Subcommittees and informal meetings of the Executive Committee had been opened to participation by Government delegations which submitted formal applications for approval by the plenary. The application by the Government of Malaysia had been received too late for it to be considered at the October 1994 session of the Executive Committee. If he heard no objection, he would take it that the Executive Committee approved the application by the Government of Malaysia.

6. It was so decided.

The meeting rose at 11.05 a.m.

UNITED
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General Assembly

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A/AC.96/SR.498
30 June 1995

ENGLISH
Original: FRENCH

EXECUTIVE COMMITTEE OF THE PROGRAMME OF THE UNITED NATIONS
HIGH COMMISSIONER FOR REFUGEES

Forty-fifth session

Extraordinary meeting

SUMMARY RECORD OF THE 498th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 20 June 1995, at 3 p.m.

Chairman: Mr. KAMAL (Pakistan)

CONTENTS

ADOPTION OF THE AGENDA

SUMMARY RECORDS

EXECUTIVE COMMITTEE WORKING METHODS

ANY OTHER BUSINESS

This record is subject to correction.

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GE.95-01797 (E)

The meeting was called to order at 3.30 p.m.

ADOPTION OF THE AGENDA (item 1 of the provisional agenda) (A/AC.96/XLV/L.2)

1. The provisional agenda (A/AC.96/XLV/L.2) was adopted.

SUMMARY RECORDS (agenda item 2) (EC/1995/SC.2/CRP.13; A/AC.96/XLV/L.2)

2. The CHAIRMAN noted that, at its 4 April 1995 meeting, the Subcommittee on Administrative and Financial Matters had considered conference room paper EC/1995/SC.2/CRP.13, entitled "Reconsideration by the Executive Committee of its need for summary records". According to that document, eliminating summary records would defeat the purpose of the steps taken to reduce the length of the Executive Committee's report and might also undermine the tradition whereby the Executive Committee adopted its decisions by consensus only. Consensus had been facilitated by the fact that the statements, explanations and reservations of delegations were reflected in the summary records. In addition, Executive Committee requirements for summary records had been reduced to 24 hours of meeting time and accounted for a modest percentage of overall meeting costs. The Subcommittee had recommended that the Executive Committee should adopt the draft decision on maintaining its right to receive summary records, contained in an annex to document EC/1995/SC.2/CRP.13, and make the wording of the sixth preambular paragraph somewhat stronger. The secretariat had therefore prepared a revised draft decision whose text was contained in an annex to document A/AC.96/XLV/L.2.

3. Mr. HALL (Secretary of the Executive Committee) indicated that the only change in the text was the replacement of the word "Recalling" by the word "Reaffirming" in the sixth preambular paragraph.

4. The CHAIRMAN said that, if there was no objection, he would take it that the Committee agreed to adopt the draft decision as amended.

5. It was so decided.

EXECUTIVE COMMITTEE WORKING METHODS (agenda item 3) (EC/1995/SC.2/CRP.2; EC/1995/SC.2/CRP.15; A/AC.96/XLV/L.2)

6. The CHAIRMAN noted that at its meeting on 16 January 1995, in accordance with document EC/1995/SC.2/CRP.2, paragraph 10, the Subcommittee on Administrative and Financial Matters had decided that a distinction should be made between documents submitted for debate and decision and documents submitted for information. The former should be accompanied by a proposed decision or conclusion, and documents exceeding the six-page limit should be accompanied by a summary. At the 4 April 1995 meeting of the Subcommittee, it had been agreed that the six-page limit agreed in January would also be applied to country chapters presented to the Executive Committee plenary and

that an effort would be made to limit the languages in which country chapters would be automatically issued to English and French. The Subcommittee had also suggested that a formal time-frame should be introduced for the issuing of documentation to be considered at Executive Committee and Subcommittee meetings. It had been agreed that decisions on those matters would be tabled at the Executive Committee's meeting in June 1995. The draft decision annexed to document A/AC.96/XLV/L.2 currently before the Executive Committee reflected the decisions taken by the Subcommittee on Administrative and Financial Matters in January and April 1995 and the discussion that had taken place in the Working Group on Executive Committee working methods, which had adopted its report before the current meeting of the Executive Committee.

7. Mr. HALL (Secretary of the Executive Committee), introducing the draft decision on the working methods of the Executive Committee, in particular its documentation, indicated that paragraphs 4, 5, 6 and 7 had been adopted by the Subcommittee on Administrative and Financial Matters in January 1995. Paragraph 8 reflected a decision adopted by the Subcommittee in April 1995. Paragraphs 1, 2 and 3 contained a proposal submitted to the Subcommittee in April and adopted by the Working Group on Executive Committee Working Methods immediately before the current meeting of the Executive Committee. Paragraphs 9 and 10 dealt with an item considered at the April meeting of the Subcommittee, the provisions of which had been adopted by the Working Group when it had adopted its report.

8. The CHAIRMAN said that, if there was no objection, he would take it that the Executive Committee wished to adopt the draft decision entitled "Executive Committee documentation", contained in an annex to document A/AC.96/XLV/L.2.

9. It was so decided.

ANY OTHER BUSINESS (agenda item 4)

10. The CHAIRMAN welcomed Bangladesh, India and the Russian Federation as new members of the Executive Committee.

11. Mr. RAO (India) thanked the Chairman for his words of welcome and all the delegations that had supported India's admission to the Executive Committee. India was determined to support the values and principles set forth in the Charter of the United Nations as well as the UNHCR programme.

12. Mr. HASHIM (Bangladesh) thanked the Chairman for his words of welcome and said that Bangladesh greatly appreciated the role played by UNHCR in the face of growing difficulties. The ultimate solution of any refugee problem lay in the repatriation of the refugees, followed by their reintegration under conditions respecting their dignity. In 1992, Bangladesh had received more than 250,000 refugees from Myanmar and had done everything it could to fulfil its humanitarian obligations over the past three years, despite the economic constraints and the demographic pressures to which it was subjected. It had received assistance from the international community, including UNHCR, to that

end. The repatriation rate over the last year had been very encouraging, and Bangladesh currently had only about 55,000 refugees in its camps. It was convinced that the goodwill shown by Myanmar, the friendly relations between Bangladesh and Myanmar and the presence of UNHCR in the field would facilitate the smooth repatriation of the refugees under conditions of security. Bangladesh unreservedly supported the mandate of UNHCR, and would not fail to contribute to UNHCR's activities.

13. The CHAIRMAN congratulated Mr. Fakhouri on being appointed to the office of Controller.

The meeting rose at 3.50 p.m.